

The Library of Congress'

EARLY STATE RECORDS PROJECT

converted from the original microfilm held by the
Vincent C. Immel Law Library, Saint Louis University

through the generous support of a grant from the

Council on Library and Information Resources

JOURNAL OF THE SENATE,
FOR THE THIRTEENTH SESSION
OF THE
GENERAL ASSEMBLY

OF THE
STATE OF ARKANSAS,

**WHICH WAS BEGUN AND HELD IN THE CAPITOL, IN THE CITY OF LITTLE
ROCK, ON MONDAY, THE FIFTH DAY OF NOVEMBER, ONE THOUSAND,
EIGHT HUNDRED AND SIXTY, AND ENDED ON MONDAY
THE TWENTY-FIRST DAY OF JANUARY, ONE
THOUSAND, EIGHT HUNDRED,
AND SIXTY-ONE.**

PUBLISHED BY AUTHORITY.

LITTLE ROCK:
JOHNSON & YERKES, STATE PRINTERS.
1861.

T87

u
A8

1862/61b

SENATE JOURNAL.

MONDAY, *November 5th*, 1860.

This being the day fixed by the constitution of the State of Arkansas for the meeting of the General Assembly, and a number of Senators appearing within their chamber in the capitol of the state, the Senate was called to order by John D. Kimbell, secretary at the last session.

Hon. S. E. Rosson moved that Mr. Terry be called to the chair; which motion prevailed.

Mr. Terry was conducted to the chair by a committee appointed for that purpose, consisting of Messrs. Davies, McCreery and Trimble.

The following senators were present, and answered to their names:

A. H. Carrigan, from the counties of Hempstead, Sevier and Lafayette.

James F. Davies, from the counties of Randolph and Greene.

M. Douglas, from the counties of Benton and Madison.

Thomas Fletcher, from the counties of Jefferson, Arkansas and Desha.

William A. Jones, from the counties of St. Francis and Poinsett.

Joseph B. McColloch, from the counties of Ouachita and Calhoun.

Decius McCreery, from the counties of White and Jackson.

Robert W. Mecklin, from the county of Washington.

A. A. Pennington, from the counties of Clark, Polk and Pike.

F. A. Terry, from the counties of Pulaski and Prairie.

The following communication from the secretary of state to the Senate, containing an official list of the senators elected at the August election of 1860, was received, and read by the secretary, to-wit:

OFFICE OF THE SECRETARY OF STATE, }
Little Rock, Nov. 2d, 1860. }

As required by law, I have the honor to lay before the Senate the following list of members, elected to that branch of the present General Assembly of the State of Arkansas.

S. M. WEAVER,

Secretary of State.

From the counties of Dallas and Bradley, Joseph Gray.

“ “ Scott and Sebastian, Green J. Clark.

“ “ Carroll and Newton, W. W. Watkins.

“ “ Crawford and Franklin, Jesse Miller.

“ “ Johnson and Pope, Augustus M. Ward.

“ “ Conway, Perry and Yell, George W.

Lemoyne.

From the counties of Marion and Searcy, Wm. C. Mitchell.

“ “ Lawrence and Fulton, Z. P. McAlexander.

From the counties of Phillips and Monroe, O. H. Oates.

From the counties of Chicot, Drew and Ashley, Lawrence H. Belser.

From the counties of Izard and Van Buren, Simeon E. Rosson.

From the counties of Hot Spring, Montgomery and Saline, James F. Fagan.

From the county of Independence, J. S. Trimble.

The above named senators elect, then came forward, presented their credentials, and, after receiving the oath of office, which was administered by Hon. F. W. Compton, judge of the supreme court, took their respective seats.

The chairman then stated that the Senate would proceed to the election of President, and announced that nominations were in order.

Whereupon, Mr. Oates nominated Hon. Thomas Fletcher.

No other nomination being made, the roll was called, when it appeared that Mr. Fletcher had received twenty-two votes, and Mr. Clark one vote.

Those senators who voted for Mr. Fletcher, are

Messrs. Belser, Carrigan, Clark, Davies, Douglas, Fagan, Gray, Jones, Lemoyne, McAlexander, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward and Watkins—22.

Mr. Fletcher voted for Mr. Clark.

Whereupon it was announced that Hon. Thomas Fletcher having received a majority of all the votes cast, was duly elected President of the Senate.

Mr. Fletcher, having been conducted to the chair by a committee, consisting of Messrs. Oates, Douglas and Davies, appointed by the chairman for that purpose, returned his thanks to the Senate for the honor conferred upon him, took the oath of office, which was administered by Hon. F. W. Compton, and entered upon the discharge of his duties as President of the Senate.

The President then announced that nominations for Secretary of the Senate, were in order.

Mr. Davies nominated John D. Kimbell, of Pulaski county.

Mr. Gray nominated Gen. George M. Holt, of Saline county.

Mr. Clark nominated Mr. William Rapley, of Pulaski county.

No other nominations were made, and the roll having been called, it appeared that John D. Kimbell had received thirteen votes; Gen. Geo. M. Holt, eight votes; and Mr. Rapley, two votes.

Those senators voting for Mr. Kimbell, were

Messrs. Davies, Jones, McAlexander, McColloch, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Ward, Watkins and Mr. President—13.

Those voting for Gen. Holt, were

Messrs. Belser, Carrigan, Douglas, Fagan, Gray, Lemoyne, Mecklin and Trimble—8.

Messrs. Clark and McCreery voted for Mr. Rapley—2.

Whereupon, the President announced that John D. Kimbell,

having received a majority of all the votes cast, was duly elected secretary of the Senate, for and during the time prescribed by law, and thereupon he took the oath of office, which was administered by Hon. F. W. Compton, and entered upon the discharge of his official duties.

The President then announced that nominations for assistant secretary of the Senate were in order.

Mr. Trimble nominated William H. Rosson, of Izard county.

Mr. Davies nominated L. L. Kuykendall, of Greene county.

Mr. Terry nominated George W. Little, of Pulaski county.

Mr. Mecklin nominated G. D. Williams, of Jefferson county.

Mr. Carrigan nominated Dr. D. C. Wright, of ——— county.

Mr. McColloch nominated Henry H. Beavers, of Saline county.

Mr. Watkins nominated William Byrne, of Carroll county.

Mr. McAlexander nominated R. C. Byrd, of Pulaski county.

FIRST BALLOT.

No other nominations being made, the roll was called, when it appeared that Mr. Rosson had received 6 votes: Mr. Kuykendall 2 votes; Mr. Little 1 vote; Mr. Williams 2 votes; Dr. Wright 4 votes; Mr. Beavers 4 votes; Mr. Byrne 3 votes; and Mr. Byrd 1 vote.

Those senators voting for Mr. Rosson, were

Messrs. Lemoyne, McCreery, Pennington, Rosson, Trimble and Ward—6.

Those voting for Mr. Kuykendall, were

Messrs. Davies and Jones—2.

Mr. Terry voted for Mr. Little—1.

Those voting for Mr. Williams, were

Mr. Mecklin and Mr. President—2.

Those voting for Dr. Wright, were

Messrs. Carrigan, Clark, Gray and Miller—4.

Those voting for Mr. Beavers, were

Messrs. Belser, Fagan, McColloch and Oates—4.

Those voting for Mr. Byrne, were

Messrs. Douglas, Mitchell and Watkins—3.

Mr. McAlexander voted for Mr. Byrd—1.

Whereupon, the President announced that neither of the candidates voted for having received a majority of all the votes cast, there was no election, and the Senate would proceed to ballot the second time.

SECOND BALLOT.

The roll having been called, it appeared that Mr. Rosson had received 6 votes; Mr. Kuykendall 3 votes; Mr. Little 1 vote; Mr. Williams 3 votes; Dr. Wright 3 votes; Mr. Beavers 4 votes; and Mr. Byrne 3 votes.

Those senators voting for Mr. Rosson, were
Messrs. Lemoyne, McAlexander, Pennington, Rosson, Trimble and Ward—6.

Mr. Terry voted for Mr. Little—1.

Those voting for Mr. Williams, were
Messrs. Carrigan, Mecklin and Mr. President—3.

Those voting for Dr. Wright, were
Messrs. Clark, Gray and Miller—3.

Those voting for Mr. Beavers, were
Messrs. Belser, Fagan, McColloch and Oates—4.

Those voting for Mr. Byrne, were
Messrs. Douglas, Mitchell and Watkins—3.

Whereupon, the President announced that neither of the candidates voted for having received a majority of all the votes cast, there was no election, and the Senate would proceed to ballot the third time.

Mr. Carrigan withdrew the name of Dr. Wright.

THIRD BALLOT.

The roll having been called, it appeared that Mr. Rosson had received 7 votes; Mr. Kuykendall 3 votes; Mr. Little 1 vote; Mr. Williams 5 votes; Mr. Beavers 3 votes; Mr. Byrne 3 votes; and Mr. Byrd 1 vote.

Those senators voting for Mr. Rosson, were
Messrs. Belser, Lemoyne, McCreery, Pennington, Rosson, Trimble and Ward—7.

Those voting for Mr. Kuykendall, were
Messrs. Davies, Jones and McAlexander—3.

Mr. Terry voted for Mr. Little—1.

Those voting for Mr. Williams, were

Messrs. Carrigan, Clark, Gray, Mecklin and Mr. President—5.

Those voting for Mr. Beavers, were

Messrs. Fagan, McColloch and Oates—3.

Those voting for Mr. Byrne, were

Messrs. Douglas, Mitchell and Watkins—3.

Mr. Miller voted for Mr. Byrd—1.

Whereupon, it was announced that neither of the candidates having received a majority of all the votes cast, there was no election, and the Senate proceeded to ballot the fourth time.

FOURTH BALLOT.

The roll having been called, it appeared that Mr. Rosson had received 7 votes; Mr. Kuykendall 3 votes; Mr. Little 1 vote; Mr. Williams 4 votes; Mr. Beavers 5 votes; and Mr. Byrne 3 votes.

Those senators voting for Mr. Rosson, were

Messrs. Belser, Lemoyne, McCreery, Pennington, Rosson, Trimble and Ward—7.

Those voting for Mr. Kuykendall, were]

Messrs. Davies, Jones and McAlexander—3.

Mr. Terry voted for Mr. Little—1.]

Those voting for Mr. Williams, were

Messrs. Carrigan, Clark, Mecklin and Mr. President—4.

Those voting for Mr. Beavers, were

Messrs. Fagan, Gray, McColloch, Miller and Oates—5.

Those voting for Mr. Byrne, were

Messrs. Douglas, Mitchell and Watkins—3.

Whereupon, the President announced that neither of the candidates having received a majority of all the votes cast, there was no election, and the Senate proceeded to the fifth ballot.

Mr. Terry withdrew the name of Mr. Little.

FIFTH BALLOT.

The roll was called and it appeared that Mr. Rosson received 7 votes; Mr. Kuykendall, 2 votes; Mr. Williams, 5 votes; Mr. Beavers, 6 votes; and Mr. Byrne, 3 votes.

Those Senators voting for Mr. Rosson, were
Messrs. Lemoyne, McCreery, Oates, Pennington, Rosson,
Trimble and Ward—7.

Messrs. Davies and Jones voted for Mr. Kuykendall—2.

Those voting for Mr. Williams, were

Messrs. Carrigan, Clark, Gray, Mecklin and Mr. President—5.

Those voting for Mr. Beavers, were

Messrs. Belser, Fagan, McAlexander, McColloch, Miller and
Terry—6.

Messrs. Douglas, Mitchell and Watkins, voted for Mr.
Byrne—3.

Whereupon, the President announced that neither of the
candidates having received a majority of all the votes cast,
there was no election, and the Senate proceeded to the sixth
ballot.

Mr. Watkins withdrew the name of Mr. Byrne.

SIXTH BALLOT.

The roll was called, when it appeared that Mr. Rosson had
received 9 votes; Mr. Kuykendall, 3 votes; Mr. Williams, 5 votes,
and Mr. Beavers 6 votes.

Those senators voting for Mr. Rosson, were

Messrs. Lemoyne, McCreery, Miller, Oates, Pennington, Ros-
son, Trimble, Ward and Watkins—9.

Those voting for Mr. Kuykendall, were

Messrs. Davies, Douglas and Jones—3.

Those voting for Mr. Williams, were

Messrs. Carrigan, Clark, Gray, Mecklin and Mr. President—5.

Those voting for Mr. Beavers, were

Messrs. Belser, Fagan, McAlexander, McColloch, Mitchell and
Terry—6.

Whereupon, the President announced that neither of the
candidates having received a majority of all the votes cast there
was no election, and the Senate proceeded to ballot the seventh
time.

SEVENTH BALLOT.

The roll being called, it appeared that Mr. Rosson had re-

ceived 10 votes; Mr. Kuykendall, 2 votes; Mr. Williams 7 votes, and Mr. Beavers, 4 votes.

Those senators voting for Mr. Rosson, were

Messrs. Lemoyne, McColloch, McCreery, Miller, Oates, Pennington, Rosson, Trimble, Ward and Watkins—10.

Messrs. Davies and Jones voted for Mr. Kuykendall—2.

Those voting for Mr. Williams, were

Messrs. Belser, Carrigan, Clark, Douglas, Gray, Mecklin and Mr. President—7.

Those voting for Mr. Beavers, were

Messrs. Fagan, McAlexander, Mitchell and Terry—4.

Whereupon, the President announced that neither of the candidates voted for having received a majority of all the votes cast, there was no election, and the Senate proceeded to ballot the eighth time.

Mr. Davies withdrew the name of Mr. Kuykendall.

EIGHTH BALLOT.

The roll was called, when it appeared that Mr. Rosson had received 9 votes; Mr. Williams, 7 votes, and Mr. Beavers, 7 votes.

Those voting for Mr. Rosson, were

Messrs. Lemoyne, McCreery, Miller, Oates, Pennington, Rosson, Trimble, Ward and Watkins—9.

Those voting for Mr. Williams, were

Messrs. Carrigan, Clark, Douglas, Gray, Jones, Mecklin and Mr. President—7.

Those voting for Mr. Beavers, were

Messrs. Belser, Davies, Fagan, McAlexander, McColloch, Mitchell and Terry—7.

Whereupon, Mr. President announced that neither of the candidates voted for having received a majority of all the votes cast, there was no election, and the Senate proceeded to ballot the ninth time.

NINTH BALLOT.

The roll was called, when it appeared that Mr. Rosson had

received 9 votes; Mr. Williams, 8 votes, and Mr. Beavers, 6 votes.

Those voting for Mr. Rosson, were

Messrs. Lemoyne, McCreery, Miller, Oates, Pennington, Rosson, Trimble, Ward and Watkins—9.

Those voting for Mr. Williams, were

Messrs. Carrigan, Clark, Davies, Douglas, Gray, Jones, Mecklin and Mr. President—8.

Those voting for Mr. Beavers, were

Messrs. Belser, Fagan, McAlexander, McColloch, Mitchell and Terry—6.

Whereupon, Mr. President announced that neither of the candidates voted for having received a majority of all the votes cast, there was no election, and the Senate proceeded to ballot the tenth time.

TENTH BALLOT.

The roll was called when it appeared that Mr. Rosson had received 9 votes; Mr. Williams, 9 votes, and Mr. Beavers, 5 votes.

Those senators voting for Mr. Rosson, were

Messrs. Lemoyne, McCreery, Miller, Oates, Pennington, Rosson, Trimble, Ward and Watkins—9.

Those voting for Mr. Williams, were

Messrs. Belser, Carrigan, Clark, Davies, Douglas, Gray, Jones, Mecklin and Mr. President—9.

Those voting for Mr. Beavers, were

Messrs. Fagan, McAlexander, McColloch, Mitchell and Terry—5.

Whereupon, Mr. President announced that neither of the candidates voted for having received a majority of all the votes cast there was no election and the Senate proceeded to ballot the eleventh time.

ELEVENTH BALLOT.

The roll having been called it appeared that Mr. Rosson had received 9 votes; Mr. Williams 10 votes, and Mr. Beavers 4 votes.

Those Senators voting for Mr. Rosson, were
Messrs. Lemoyne, McCreery, Miller, Oates, Pennington,
Rosson, Trimble, Ward and Watkins—9.

Those voting for Mr. Williams, were
Messrs. Belser, Carrigan, Clark, Davies, Douglas, Gray, Jones,
McColloch, Mecklin and Mr. President—10.

Those voting for Mr. Beavers, were

Messrs. Fagan, McAlexander, Mitchell and Terry—4.

Whereupon, Mr. President announced that neither of the
candidates voted for having received a majority of all the votes
cast, there was no election, and the Senate proceeded to ballot
the twelfth time.

Mr. Fagan withdrew the name of Mr. Beavers.

TWELFTH BALLOT.

The roll was called, when it appeared that Mr. Rosson
received 13 votes on final ballot, and Mr. Williams, 10 votes.

Those senators voting for Mr. Rosson, were

Messrs. Fagan, Lemoyne, McAlexander, McCreery, Miller,
Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward and
Watkins—13.

Those voting for Mr. Williams, were

Messrs. Belser, Carrigan, Clark, Davies, Douglas, Gray, Jones,
McColloch, Mecklin and Mr. President—10.

Whereupon, Mr. President announced that William H. Ros-
son, having received a majority of all the votes cast was duly
elected Assistant Secretary of the Senate for and during the
time prescribed by law, and thereupon, Mr. Rosson came for-
ward, took the oath of office, which was administered by Hon.
F. W. Compton, and entered upon the discharge of his official
duties.

Mr. Terry moved that the Senate take a recess until 2 o'clock
p. m.

Which motion was lost.

The President announced that the Senate would proceed to
the election of a door-keeper, and stated that nominations were
in order.

Mr. Douglas nominated Thomas D. Berry, of Madison county.

Mr. Davies nominated J. E. Davis, of Prairie county.

Mr. Gray nominated W. D. Bethel, of Dallas county.

Mr. Trimble nominated J. E. Shaw, of Searcy county.

Mr. McCreery nominated Hugh Reed, of White county.

Mr. McAlexander nominated William Woolford, of Pulaski county.

Mr. Lemoyne nominated Thomas Cargile, of Conway county.

Mr. Carrigan nominated Hiram Colbert of Saline county.

Mr. Terry nominated Dr. S. H. Webb, of Pulaski county.

Mr. President nominated William V. Hutt, of Pulaski county.

FIRST BALLOT.

No other nominations being made, the roll was called, when it appeared that Mr. Berry had received 4 votes; Mr. Davis, 4 votes; Mr. Bethel, 2 votes; Mr. Shaw, 3 votes, Mr. Reid, 2 votes; Mr. Woolford, 1 vote; Mr. Cargile, 1 vote; Mr. Colbert, 3 votes; Dr. Webb, 1 vote, and Mr. Hutt, 2 votes.

Messrs. Douglas, Miller, Ward and Watkins, voted for Mr. Berry—4.

Messrs. Clark, Davies, Mecklin and Oates, voted for Mr. Davis—4.

Messrs. Gray and McColloch voted for Mr. Bethel—2.

Messrs. Mitchell, Rosson and Trimble, voted for Mr. Shaw—3.

Messrs. McCreery and Pennington voted for Mr. Reed—2.

Mr. McAlexander voted for Mr. Woolford—1.

Mr. Lemoyne voted for Mr. Cargile—1.

Messrs. Belser, Carrigan and Fagan, voted for Mr. Colbert—3.

Mr. Terry voted for Mr. Webb—1.

Mr. Jones and Mr. President voted for Mr. Hutt—2.

Neither of the candidates voted for having received a majority of all the votes cast, the President announced that there was no election, and that the Senate would proceed to ballot the second time.

SECOND BALLOT.

The roll was called, when it appeared that Mr. Berry had

received 4 votes; Mr. Davis, 4 votes; Mr. Bethel, 3 votes; Mr. Shaw, 3 votes; Mr. Reed, 2 votes; Mr. Woolford, 1 vote; Mr. Cargile, 1 vote; Mr. Colbert, 3 votes; Dr. Webb, 1 vote, and Mr. Hutt, 1 vote.

Messrs. Douglas, Miller, Ward and Watkins, voted for Mr. Berry—4.

Messrs. Clark, Davies, Mecklin and Oates voted for Mr. Davis—4.

Messrs. Gray, Jones, and McColloch, voted for Mr. Bethel—3.

Messrs. Mitchell, Rosson and Trimble, voted for Mr. Shaw—3.

Messrs. McCreery and Pennington voted for Mr. Reed—2.

Mr. McAlexander voted for Mr. Woolford—1.

Mr. Lemoyne voted for Mr. Cargile—1.

Messrs. Belser, Carrigan and Fagan, voted for Mr. Colbert—3.

Mr. Terry voted for Dr. Webb—1.

Mr. President voted for Mr. Hutt—1.

Neither of the candidates voted for having received a majority of the votes cast, the President announced that there was no election, and that the Senate would proceed to ballot the third time.

THIRD BALLOT.

The roll being called, it appeared that Mr. Berry had received 4 votes; Mr. Davis 4 votes; Mr. Bethel 3 votes; Mr. Shaw 3 votes; Mr. Reed 2 votes; Mr. Woolford 1 vote; Mr. Cargile 1 vote; Mr. Colbert 3 votes, Dr. Webb 1 vote, and Mr. Hutt 1 vote.

Messrs. Douglas, Miller, Ward and Watkins, voted for Mr. Berry—4.

Messrs. Clark, Davies, Mecklin and Oates, voted for Mr. Davis—4.

Messrs. Gray, Jones and McColloch, voted for Mr. Bethel—3.

Messrs. Mitchell, Rosson and Trimble, voted for Mr. Shaw—3.

Messrs. McCreery and Pennington voted for Mr. Reed—2.

Mr. McAlexander voted for Mr. Woolford—1.

Mr. Lemoyne voted for Mr. Cargile—1.

Messrs. Belser, Carrigan and Fagan, voted for Mr. Colbert—3.

Mr. Terry voted for Dr. Webb—1.

Mr. President voted for Mr. Hutt—1.

Neither of the candidates having received a majority of all the votes cast, the President announced that there was no election, and that the Senate would proceed to ballot the fourth time.

On motion of Mr. Carrigan, it was resolved that the name of the candidate receiving the lowest number of votes on each each ballot, should be dropped on the succeeding ballot; but after some discussion, said resolution was, on motion of Mr. Douglas, reconsidered.

FOURTH BALLOT.

The roll was called, when it appeared that Mr. Berry had received 4 votes; Mr. Davis 5 votes; Mr. Bethel 3 votes; Mr. Shaw 3 votes; Mr. Reed 2 votes; Mr. Cargile 1 vote; Mr. Colbert 3 votes, and Dr. Webb 2 votes.

Messrs. Douglas, Miller, Ward and Watkins, voted for Mr. Berry—4.

Messrs. Clark, Davies, Mecklin, Oates and Pennington, voted for Mr. Davis—5.

Messrs. Gray, Jones and McColloch, voted for Mr. Bethel—3.

Messrs. Mitchell, Rosson and Trimble, voted for Mr. Shaw—3.

Mr. McCreery and Mr. President, voted for Mr. Reed—2.

Mr. Lemoyne voted for Mr. Cargile—1.

Messrs. Belser, Carrigan and Fagan, voted for Mr. Colbert—3.

Messrs. McAlexander and Terry voted for Dr. Webb—2.

Neither of the candidates having received a majority of all the votes cast, there was no election, and the Senate proceeded to ballot the fifth time.

Mr. President withdrew the name of Mr. Hutt.

Mr. Lemoyne withdrew the name of Mr. Cargile.

FIFTH BALLOT.

The roll was called, when it appeared that Mr. Berry had received 4 votes; Mr. Davis, 6 votes; Mr. Bethel, 3 votes; Mr. Shaw, 2 votes; Mr. Reed, 4 votes; Mr. Colbert, 2 votes, and Dr. Webb, 2 votes.

Messrs. Douglas, Miller, Ward and Watkins, voted for Mr. Berry—4.

Messrs. Belser, Clark, Davies, Lemoyne, Mecklin and Oates, voted for Mr. Davis—6.

Messrs. Gray, Jones and McColloch, voted for Mr. Bethel—3.

Messrs. Mitchell and Trimble voted for Mr. Shaw—2.

Messrs. McCreery, Pennington, Rosson and Mr. President, voted for Mr. Reed—4.

Messrs. Carrigan and Fagan voted for Mr. Colbert—2.

Messrs. McAlexander and Terry voted for Dr. Webb—2.

Neither of the candidates receiving a majority of all the votes cast, the President announced that there was no election, and that the Senate would proceed to ballot the 6th time.

SIXTH BALLOT.

The roll was called, and it appeared that Mr. Berry had received 4 votes; Mr. Davis, 5 votes; Mr. Bethel, 3 votes; Mr. Shaw, 2 votes; Mr. Reed, 4 votes; Mr. Colbert, 3 votes, and Dr. Webb, 2 votes.

Messrs. Douglas, Miller, Ward and Watkins, voted for Mr. Berry—4.

Messrs. Clark, Davies, Lemoyne, Mecklin and Oates, voted for Mr. Davis—5.

Messrs. Gray, Jones and McColloch, voted for Mr. Bethel—3.

Messrs. Mitchell and Trimble voted for Mr. Shaw—2.

Messrs. McCreery, Pennington, Rosson, and Mr. President, voted for Mr. Reed—4.

Messrs. Belser, Carrigan and Fagan, voted for Mr. Colbert—3.

Messrs. McAlexander and Terry voted for Dr. Webb—2.

Neither of the candidates having received a majority of all the votes cast, the President announced that there was no election, and that the Senate would proceed to ballot the 7th time.

SEVENTH BALLOT.

The roll was called, when it appeared that Mr. Berry had received 4 votes; Mr. Davis, 4 votes; Mr. Bethel, 3 votes; Mr. Shaw, 2 votes; Mr. Reed, 4 votes; Mr. Colbert, 3 votes, and Dr. Webb, 2 votes.

Messrs. Douglas, Miller, Ward and Watkins, voted for Mr. Berry—4.

Messrs. Davies, Lemoyne, Mecklin and Oates, voted for Mr. Davis—4.

Messrs. Gray, Jones and McColloch, voted for Mr. Bethel—3.

Messrs. Mitchell and Trimble voted for Mr. Shaw—2.

Messrs. McCreery, Pennington, Rosson and Mr. President, voted for Mr. Reed—4.

Messrs. Belser, Carrigan and Fagan, voted for Mr. Colbert—3.

Messrs. McAlexander and Terry voted for Dr. Webb—2.

Neither of the candidates having received a majority of all the votes cast, the President announced that there was no election, and that the Senate would proceed to ballot the 8th time.

Mr. Trimble withdrew the name of Mr. Shaw.

EIGHTH BALLOT.

The roll was called, when it appeared that Mr. Berry had received 6 votes; Mr. Davis, 6 votes; Mr. Bethel, 3 votes; Mr. Reed, 3 votes; Mr. Colbert, 2 votes, and Dr. Webb, 2 votes.

Messrs. Douglas, Miller, Mitchell, Ward, Watkins and Mr. President, voted for Mr. Berry—6.

Messrs. Belser, Davies, Lemoyne, Mecklin, Oates and Trimble, voted for Mr. Davis—6.

Messrs. Gray, Jones and McColloch, voted for Mr. Bethel—3.

Messrs. McCreery, Pennington and Rosson, voted for Mr. Reed—3.

Messrs. Carrigan and Fagan voted for Mr. Colbert—2.

Messrs. McAlexander and Terry voted for Dr. Webb—2.

Neither of the candidates having received a majority of all the votes cast, Mr. President announced that there was no election, and that the Senate would proceed to ballot the 9th time.

Mr. Fagan withdrew the name of Mr. Colbert.

NINTH BALLOT.

The roll was called, when it appeared that Mr. Berry had received 7 votes; Mr. Davis, 7 votes; Mr. Bethel, 4 votes; Mr. Reed 2 votes; Mr. Woolford, 2 votes, and Dr. Webb, 1 vote.

Messrs. Douglas, Miller, Mitchell, Rosson, Ward, Watkins and Mr. President, voted for Mr. Berry—7.

Messrs. Belser, Clark, Davies, Lemoyne, Mecklin, Oates and Trimble, voted for Mr. Davis—7.

Messrs. Carrigan, Gray, Jones and McColloch, voted for Mr. Bethel—4.

Messrs. McCreery and Pennington voted for Mr. Reed—2.

Messrs. Fagan and McAlexander voted for Mr. Woolford—2.

Mr. Terry voted for Dr. Webb—1.

Neither of the candidates having received a majority of all the votes cast, Mr. President announced that there was no election, and that the Senate would proceed to ballot the 10th time.

Mr. Terry withdrew the name of Dr. Webb.

TENTH BALLOT.

The roll was called, when it appeared that Mr. Berry had received 7 votes; Mr. Davis, 7 votes; Mr. Bethel, 5 votes; Mr. Reed, 3 votes, and Mr. Woolford, 1 vote.

Messrs. Douglas, Miller, Mitchell, Rosson, Ward Watkins and Mr. President, voted for Mr. Berry—7.

Messrs. Belser, Clark, Davies, Lemoyne, Mecklin, Oates and Trimble, voted for Mr. Davis—7.

Messrs. Carrigan, Fagan, Gray, Jones and McColloch, voted for Mr. Bethel—5.

Messrs. McAlexander, McCreery and Pennington, voted for Mr. Reed—3.

Mr. Terry voted for Mr. Woolford—1.

Neither of the candidates having received a majority of all the votes cast, there was no election, and the President announced that the Senate would proceed to ballot the 11th time.

Mr. McAlexander withdrew the name of Mr. Woolford.

ELEVENTH BALLOT.

The roll was called, when it appeared that Mr. Berry had received 9 votes; Mr. Davis, 7 votes; Mr. Bethel, 5 votes, and Mr. Reed, 2 votes.

Messrs. Douglas, McAlexander, Miller, Mitchell, Rosson

Terry, Ward, Watkins and Mr. President, voted for Mr. Berry—9.

Messrs. Belser, Clark, Davies, Lemonye, Mecklin, Oates and Trimble, voted for Mr. Davis—7.

Messrs. Carrigan, Fagan, Gray, Jones and McColloch, voted for Mr. Bethel—5.

Messrs. McCreery and Pennington voted for Mr. Reed—2.

Neither of the candidates having received a majority of all the votes cast, the President announced that there was no election, and that the Senate would proceed to ballot the 12th time.

Mr. McCreery withdrew the name of Mr. Reed.

TWELFTH BALLOT.

The roll was called, when it appeared that Mr. Berry had received 9 votes, Mr. Davis 7 votes, and Mr. Bethel 7 votes.

Messrs. Douglas, McAlexander, Miller, Mitchell, Rosson, Terry, Ward, Watkins and Mr. President, voted for Mr. Berry—9.

Messrs. Belser, Clark, Davies, Lemoyne, Oates, Pennington and Trimble, voted for Mr. Davis—7.

Messrs. Carrigan, Fagan, Gray, Jones, McColloch, McCreery and Mecklin, voted for Mr. Bethel—7.

Neither of the candidates having received a majority of all the votes cast, there was no election, and the Senate proceeded to ballot the thirteenth time.

THIRTEENTH BALLOT.

The roll was called, and it appeared that Mr. Berry had received 10 votes, Mr. Davis 6 votes, and Mr. Bethel 7 votes.

Messrs. Clark, Douglas, McAlexander, Miller, Mitchell, Rosson, Terry, Ward, Watkins and Mr. President, voted for Mr. Berry—10.

Messrs. Belser, Davies, Lemoyne, Oates, Pennington and Trimble, voted for Mr. Davis—6.

Messrs. Carrigan, Fagan, Gray, Jones, McColloch, McCreery and Mecklin, voted for Mr. Bethel—7.

Neither of the candidates having received a majority of all

the votes cast, the President announced that there was no election, and that the Senate would proceed to ballot the 14th time.

FOURTEENTH BALLOT.

The roll was called, and it appeared that Mr. Berry had received on final ballot, 15 votes; Mr. Davis 2 votes, and Mr. Bethel 6 votes.

Those senators voting for Mr. Berry, were

Messrs. Belser, Clark, Douglas, McAlexander, McCreery, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—15.

Messrs. Davies and Lemoyne voted for Mr. Davis—2.

Those voting for Mr. Bethel, were

Messrs. Carrigan, Fagan, Gray, Jones, McColloch and Mecklin—6.

Thereupon, the President announced that Thomas D. Berry having received a majority of all the votes cast, was duly elected doorkeeper of the Senate for, and during the time prescribed by law; and thereupon he came forward and took the oath of office, which was administered by Hon. F. W. Compton, and entered upon the discharge of his official duties.

Message from the House of Representatives by the clerk:

Mr. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have adopted the following

RESOLUTION:

Resolved, That a message be sent to the Senate, informing that body that the House have organized by electing Hon. Bradley Bunch of Carroll county, speaker, Samuel M. Scott, of Clark county, principal clerk, Humphrey Enyart, of Madison county, assistant clerk, James M. Brown, of Crawford county, enrolling clerk, Isam Holt, of Carroll county, doorkeeper, and are now ready to proceed to business.

S. M. SCOTT, *Clerk*
of House of Rep's.

On motion of Mr. Lemoyne, it was resolved that the Senate proceed to the election of an enrolling secretary.

Thereupon, the president announced that nominations were in order.

Mr. Lemoyne nominated A. J. Smith, of Pulaski county.
Mr. Gray nominated Dr. E. H. Whitfield, of Ouachita county.
Mr. Davies nominated L. L. Kuykendall, of Greene county.
Mr. Clark nominated J. W. Woodward, of Pulaski county.
Mr. Terry nominated W. M. Henley, of Pulaski county.
Mr. Fagan nominated L. H. Bean, of Saline county.

FIRST BALLOT.

No other nominations being made, the roll was called, when it appeared that Mr. Smith had received 5 votes, Dr. Whitfield 3 votes, Mr. Kuykendall 2 votes, Mr. Woodward, 9 votes, Mr. Henley 1 vote, and Mr. Bean 3 votes.

Messrs. Carrigan, Jones, Lemoyne, Mecklin and Pennigton, voted for Mr. Smith—5.

Messrs. Gray, McColloch and Trimble, voted for Dr. Whitfield—3.

Messrs. Davies and McCreery voted for Mr. Kuykendall—2.

Messrs. Clark, McAlexander, Miller, Mitchell, Oates, Rosson, Ward, Watkins and Mr. President, voted for Mr. Woodward—9.

Mr. Terry voted for Mr. Henley—1.

Messrs. Belser, Douglas and Fagan, voted for Mr. Bean—3.

Neither of the candidates voted for having received a majority of all the votes cast, the President announced that there was no election, and that the Senate would proceed to the

SECOND BALLOT.

The roll was then called, when it appeared that Mr. Smith had received 4 votes, Dr. Whitfield 3 votes, Mr. Kuykendall 2 votes, Mr. Woodward 10 votes, Mr. Henley 1 vote, and Mr. Bean 3 votes.

Messrs. Carrigan, Jones, Lemoyne and Mecklin, voted for Mr. Smith—4.

Messrs. Gray, McColloch and Trimble, voted for Dr. Whitfield—3.

Messrs. Davies and McCreery, voted for Mr. Kuykendall—2.

Messrs. Clark, McAlexander, Miller, Mitchell, Oates, Pennington, Rosson, Ward, Watkins and Mr. President, voted for Mr. Woodward—10.

Mr. Terry voted for Mr. Henley—1.

Messrs. Belser, Douglas and Fagan, voted for Mr. Bean—3.

Neither of the candidates having received a majority of all the votes cast, the President announced that there was no election, and that the Senate would proceed to ballot the third time.

Mr. Davies withdrew the name of Mr. Kuykendall.

Mr. Fagan withdrew the name of Mr. Bean.

THIRD BALLOT.

The roll was called, when it appeared that Mr. Smith had received 5 votes, Dr. Whitfield 5 votes, Mr. Woodward 12 votes, and Mr. Henley 1 vote.

Messrs. Carrigan, Fagan, Jones, Lemoyne and Mecklin, voted for Mr. Smith—5.

Messrs. Belser, Gray, McColloch, McCreery and Trimble, voted for Dr. Whitfield—5.

Messrs. Clark, Davies, Douglas, McAlexander, Miller, Mitchell, Oates, Pennington, Rosson, Ward, Watkins and Mr. President, voted for Mr. Woodward—12.

Mr. Terry voted for Mr. Henley—1.

Thereupon, the President announced that John W. Woodward having received a majority of all the votes cast, was duly elected enrolling secretary of the Senate for and during the time prescribed by law, and

Thereupon Mr. Woodward came forward, took the oath of office, which was administered by Hon. F. W. Compton, and entered upon the discharge of his official duties.

Mr. Terry offered the following

RESOLUTION:

Resolved, That the Secretary of the Senate inform the House of Representatives of its organization, by the election of Thomas Fletcher President, John D. Kimbell Secretary, William H. Rosson Assistant Secretary, John W. Woodward Enrolling Secretary, and Thomas D. Berry doorkeeper, and are ready to proceed to business.

Which was read and adopted.

Mr. Carrigan offered the following

RESOLUTION:

Resolved, That a committee of three be appointed on the part of the Senate, to join with a committee on the part of the House of Representatives, to wait on his excellency the governor, and inform him that the General Assembly are now organized and ready to receive any communication he may desire to make.

Which was read and adopted.

Mr. President appointed as the committee under said resolution on the part of the Senate, Messrs. Carrigan, Terry and McAlexander.

Mr. Pennington offered the following

RESOLUTION:

Resolved, That the secretary of state furnish each senator with a copy of the new Digest and the acts of the last session of the legislature, for use during the present session.

Which was read and adopted.

Mr. Pennington also offered the following

RESOLUTION:

Resolved, That the rules adopted by the Senate at the last session, continue in force until other rules are adopted.

Which was read and adopted.

On motion of Mr. Terry, the Senate adjourned until 10 o'clock, to-morrow morning.

THOS. FLETCHER,

President.

TUESDAY, November 6th, 1860.

The Senate met at 10 o'clock, A. M.

The roll was called and the following senators answered to their names:

Messrs. Belser, Carrigan, Clark, Davies, Douglas, Fagan, Gray, Jones, Lemoyne, McAlexander, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President.—23

On motion of Mr. Oates, the reading of the journal of yesterday was postponed until to-morrow morning.

Mr. Clark offered the following

RESOLUTION:

Resolved, That a committee of three be appointed to prepare rules for the government of the Senate during the present session.

On motion of Mr. Oates, said resolution was amended by adding the words, "and that said committee act with such committee as the House may appoint to draft joint rules for the government of the Senate and House of Representatives."

The resolution, as amended, was then adopted; and

Mr. President appointed Messrs. Clark, Fagan and Lemoyne, as the committee on the part of the Senate.

Mr. Carrigan moved to adjourn until 9 o'clock to-morrow morning; which motion was lost.

Mr. McColloch, on leave, presented the petition of eleven citizens of Calhoun county, representing that Hugh W. Ashley, in his lifetime, settled upon section 16, in township 14 south, range 16 west, and cleared land on the north-west fractional quarter of said section, before it was "sectionized" and praying the General Assembly to pass an act authorizing the school commissioner of Calhoun county to sell to Mrs. M. L. Ashley, widow of said Hugh W. Ashley, the part of said sixteenth section, which he settled upon and brought into cultivation, at two dollars per acre, on a credit of five years, with interest at eight per cent. per annum, to be payable semi-annually in advance.

Said petition was read and referred to a select committee, consisting of Messrs. McColloch, Oates and Lemoyne.

Message from the House of Representatives by the clerk:

MR. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have concurred in the resolution of the Senate, for a joint committee to wait upon the governor and inform him of the organization of the General Assembly, and that the two houses are ready to receive any communication he may desire to present. The committee on the part of the House consists of Messrs. Humphreys, Du Val, Lewis, Bowden and Killgore.

S. M. SCOTT, *Clerk of
House of Representatives.*

Mr. Carrigan moved to adjourn until 10 o'clock to-morrow morning; which motion failed on a division, 10 voting in the affirmative, and 13 in the negative.

On motion of Mr. McCreery, the Senate adjourned, until 9 o'clock to-morrow morning.

THOS. FLETCHER,
President.



WEDNESDAY, November 7th, 1860.

The Senate met pursuant to adjournment.

The roll was called, and the following senators answered to their names:

Messrs. Belser, Carrigan, Clark, Davies, Douglas, Fagan, Gray, Jones, Lemoyne, McAlexander, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—23.

The journals of Monday and Tuesday were read, approved and signed.

Mr. President laid before the Senate, and caused to be read by the secretary, the following list of standing committees of the Senate:

On Judiciary—Messrs. Oates, Watkins, Craighead, Lemoyne, Clark, McColloch, Askew, Gray and Terry.

On the Auditor's and Treasurer's Books—Messrs. Trimble, Douglas and Ward.

On the Militia—Messrs. McCreery, Mitchell, Miller, Fagan and Belser.

On Banks — Messrs. Lemoyne, Craighead, McColloch, Mitchell and Rosson.

On Education—Messrs. Clark, Mecklin, Belser, McAlexander and Trimble.

On Internal Improvements—Messrs. Carrigan, Davies, Belser, Miller, Oates, Terry and Clark.

On Ways and Means—Messrs. Watkins, Rosson, Pennington, Jones and Askew.

On Agriculture—Messrs. Belser, McCreery, Miller, Mecklin, and Fagan.

On Counties and County Lines—Messrs. McColloch, Pennington, Ward, Gray and Rosson.

On Public Roads—Messrs. Douglas, Miller, Trimble, Davies and McAlexander.

On Enrolled Bills—Messrs. Fagan, Mitchell, Trimble, Mecklin and Gray.

On Elections—Messrs. Jones, Craighead, Oates, McColloch and Douglas.

On Public Printing—Messrs. Ward, Carrigan, McCreery, Watkins and Davies.

On the Penitentiary—Messrs. Terry, Belser, Lemoyne, Miller and Askew.

On Claims—Messrs. Davies, Craighead, Pennington, Jones and Clark.

On Memorials—Messrs. Mitchell, McCreery, Gray, Askew and Davies.

On Public Buildings—Messrs. Pennington, Terry, Mecklin, Ward and Watkins.

On Public Expenditures—Messrs. McAlexander, Carrigan, Fagan, McColloch and Jones.

On Swamp and Overflowed Lands—Messrs. Rosson, Craighead, Askew, Terry and Miller.

Mr. Terry asked to be, and was excused from serving on the committee on judiciary.

On motion of Mr. Fagan, the name of Mr. Lemoyne was added to the committee on internal improvements.

Motions and resolutions were in order.

Mr. Clark offered Senate joint resolution No. 1, to-wit:

Resolved by the General Assembly of the State of Arkansas, That the secretary of the Senate and the clerk of the House of Representatives, be authorized to employ two stenographic reporters for their respective houses to report a synopsis of the debates and proceedings of each house, and that said reports shall be printed daily, one thousand copies of which shall, each morning, be placed upon the desks of the members, and two thousand reserved to be bound at the close of the session, for distribution, and two copies deposited in the clerk's office of each county.

Resolved further, That these reports shall be called the journals, and supersede the present style of reporting and printing the journals.

Said resolution was read the first time, and took its course under the rules.

Mr. Douglas offered Senate joint resolution No. 2, to-wit:

Resolved, That Tuesday next be set apart and devoted, by both branches of the General Assembly, to fasting and prayer to God, for his divine protection over us as a legislative body; and that he may bless the fruits of our labors as such; and more especially, that he may preserve our beloved country from the evils of dissolution, and the dangers which seem now to threaten it.

Resolved further, That a committee of three be appointed to unite with a like committee on the part of the House, in requesting some minister of the gospel to address us on that day, at ten o'clock, a. m., in the representative hall; and that the House be immediately requested to concur herein.

Which was read the first time.

Mr. Douglas moved a suspension of the rules for the second reading of the resolution; which motion failed, and it took its course under the rules.

Mr. Trimble offered the following

RESOLUTION:

Resolved, That the Senate will meet in the hall of the House of Representatives, on Friday, the 9th day of November, 1860, at 11 o'clock, a. m., for the purpose of counting the vote for governor of the State of Arkansas; and that the House of Representatives be respectfully requested to concur herein.

Which was read and adopted.

Mr. Carrigan, from a joint select committee, made the following

REPORT:

Mr. PRESIDENT—

The joint committee on the part of both Houses of the General Assembly of the State of Arkansas, appointed to inform his excellency, Elias N. Conway, Governor of the State, that the General Assembly was organized and ready to receive any communication he should desire, have discharged that duty, and his excellency announced his wish to deliver his message this day at eleven o'clock, a. m.

CARRIGAN, *Chairman*
on the part of the Senate.

Which report was read and received.

Mr. Clark, from the committee on rules and joint rules, made the following

REPORT:

Mr. PRESIDENT—

The committee appointed to prepare rules for the government of the Senate, and also joint rules for the two houses, have instructed me to report to the Senate the accompanying rules and joint rules, adopted at the last session, and to recommend their adoption:

CLARK, *Chairman.*

Which report was read, and on motion of Mr. Trimble, adopted.

RULES AND ORDERS FOR THE GOVERNMENT OF THE SENATE FOR
1860-61.

1. The President shall take the chair every day at the hour to which the Senate shall have been previously adjourned; and

on taking his seat, call the Senate to order; and if there be a quorum present, proceed to business.

2. When a majority of the members present shall deem it necessary, they shall have power to send the sergeant-at-arms, or any other person or persons, to compel the attendance of absent members.

3. Each morning, as soon as there be a quorum present, the President shall cause the Secretary to read the journal of the preceding day, that the same, if there be any errors, may be amended.

4. No member shall absent himself from the Senate, without leave, unless he be sick or unable to attend.

5. Every member, when he speaks, shall address the President, standing in his place, and shall avoid personalities.

6. No member shall speak more than twice to any one question, motion, resolution or bill, without leave of the Senate, except a bill be amended, and then he may speak to the amendments.

7. When two members rise at the same time, the President shall name the person to speak; but in all cases, the member who shall first rise and address the President, shall speak first.

8. When a member shall be called to order by the President, or a senator, he shall sit down, unless permitted to explain; and every question of order shall be decided by the President, without debate, subject to an appeal to the Senate; and the President may call for the voice of the Senate on any question of order. If there be no appeal, the decision of the chair shall be submitted to. If the decision be in favor of the member called to order, he shall be at liberty to proceed; in case any member object, he shall not proceed without leave of the Senate.

9. If the member be called to order for words spoken in debate, the exceptionable words shall be immediately taken down in writing, that the President may be better enabled to judge whether they are exceptionable or not.

10. No person shall call for the yeas and nays after the question has been decided.

11. No member in the minority of any vote declared, shall have the right to move for a reconsideration thereof; but a member who votes in the majority may move for a reconsideration; *Provided*, Said move is made that day or the day following.

12. Any member may excuse himself from serving on a committee, if, at the time of his appointment, he shall be a member of more than two committees, by consent of the Senate.

13. It shall be the duty of the President to preserve order, and he shall have the privilege to rise and speak to all ques-

tions of order, in preference to any other member of the Senate, and shall decide all questions of order, subject to an appeal to the Senate.

14. Every member present, when a vote upon any question is taken, shall vote, unless he be excused by the Senate, or he be interested.

15. When a motion is made and seconded, it shall be reduced to writing, if desired by the President, or any member of the Senate; if not in writing it shall be stated to the Senate by the President; if in writing, it shall be read aloud by the Secretary previous to the vote being taken thereon.

16. When a motion is stated by the President, or read by the Secretary, it shall be deemed to be in possession of the Senate, but may be withdrawn at any time before a decision or amendment, by the consent of the Senate.

17. A motion to adjourn shall always be in order, (unless in committee of the whole,) and shall be decided without debate.

18. No motion or proposition on a subject different from that under consideration, shall be admitted under color of amendment.

19. When a question is before the Senate, no motion shall be received, unless it be for the previous question, to postpone, commit, amend the main question, or adjourn. All questions shall be decided in the order in which they are moved, and in the filling of blanks, the largest sum and longest time shall be first put.

20. All questions shall be put in this form, to-wit: "You who are of the opinion, (as the case may be,) say yea; of a contrary opinion, say no;" and, in doubtful cases, the President may direct, or any member present, may call for a division.

21. The previous question shall be put in these words, to-wit: "Shall the main question be now put?" It shall be admitted only upon the demand of two members, and until decided, shall preclude all amendments and further debate on the main question.

22. Any member shall have the right to call for a division of the question; but the Senate shall have the right to determine whether the question admits of division or not.

23. In all cases of ballot by the Senate, and on questions where the yeas and nays are called for, the President shall vote, he being the last in voting.

24. All committees shall be nominated by the President, unless otherwise determined by the Senate; in which case, they shall be selected by ballot, and if there are not a sufficient number elected on first ballot, the Senate shall proceed to a second ballot, and proceed to ballot until there are a sufficient number selected, the number to be determined in such case by the Senate. Any member shall have the right to move that a

senator, that he believes would be an advantage to a committee, be added thereto; but the Senate shall have the right to determine whether he be added or not.

25. No committee shall sit during the sitting of the Senate, without special leave first had and obtained from the Senate.

26. In forming a committee of the whole, the President shall leave the chair, and appoint a chairman to preside.

27. The rules of proceeding in the Senate, shall be observed in committee of the whole, as far as they may be applicable; but no member's name shall be entered on the journal, who moves to amend a bill in committee of the whole; nor shall the yeas and nays be called for and entered upon the journal, for it is but the proceeding of a committee, not of the Senate. No previous question can be put in this committee; nor can this committee adjourn as others may; but if their business is unfinished, they rise on a question, the Senate is resumed, the chairman reports, that the committee of the whole have, according to order, had under consideration such a motion, and have made progress therein; but not having time to go through the same, have directed him to ask leave to sit again; whereupon the question is put upon their having leave, and the time when the Senate will again resolve itself into the committee of the whole; but if the committee have completed the business referred, a member moves that the committee arise, and that the chairman report the proceedings of the committee to the Senate. The chairman then states that the committee have completed the business referred to them, and that he is ready to make report, when the Senate shall think proper to receive it.

28. In all cases, the whole bill, resolution, paper or address, is to be read, and the secretary shall read it by paragraphs, pausing at the end of each, for amendments, until the whole has been read; the question is put, on the whole agreeing to it, as amended or unamended. The bill is not to be interlined, or defaced, but all amendments, noting the page and line, shall be duly entered by the secretary, on a separate paper, as the same may be agreed to by the committee, and so reported to the Senate; after report, the bill shall again be subject to debate, and amended by clauses, before a question to engross it be taken.

29. When a vote is once passed in this committee, it cannot be altered but by the Senate, their votes being binding on themselves.

30. A majority of all the committees constitute a quorum to do business, and have full power over the paper or bill referred, except they cannot change the title or subject.

31. Every bill originating in the Senate, shall be introduced by the leave of the Senate, or by the order of the Senate. And every bill so introduced, shall be read on three different

days, unless two-thirds of the Senate, when the same is pending, shall suspend the rules thereof; nor shall any bill pass the Senate without having been read three several times.

32. The first reading of the bill shall be for information; and if objection shall be made to it, the question shall be, "Shall the bill be rejected?" If no objection be made, and the question to reject be lost, the bill shall go to its second reading without a question.

33. Upon the second reading of the bill, the President shall state that it is ready for commitment or engrossing; and, if committed, then the question shall be whether to a select committee, a standing committee, or a committee of the whole. If to the committee of the whole, then the Senate shall determine on what day; but if the bill be ordered to be engrossed, the Senate shall appoint the day upon which it shall be read a third time.

34. A bill after commitment on report thereof, may be recommitted at any time before its passage.

35. If an amendment be proposed, inconsistent with one already agreed to, it is a fit ground for its rejection by the Senate.

36. Every order, resolution or vote, to which the concurrence of the House of representatives shall be necessary, shall be read to the Senate, and laid on the table on a day preceding that in which the same shall be moved, unless the Senate shall otherwise expressly allow.

37. No standing rules of the Senate shall be revised or amended, without one day's notice be given of the motion thereof. And then not without the concurrence of two-thirds of the Senate.

38. Whenever any officer, civil or military, shall be appointed by a joint or concurrent vote of both houses, or by a separate vote of the Senate, the vote shall be taken *vive voce* and entered in the journal.

39. Whilst the President is putting any question, or addressing the Senate, no senator shall walk out or across the Senate; nor whilst a member is speaking, pass between him and the President.

40. The person first named on each committee shall be the chairman of that committee, until otherwise determined by the committee, and the secretary shall deliver all papers referred to that committee to him.

41. All the proceedings of the Senate, when not acting in committee of the whole, shall be entered on the journal as concisely as possible, care being taken to detail a true and accurate account of the proceedings, but every vote of the Senate shall be entered upon the journal, and a brief statement of

the contents of each petition, memorial or paper presented to the Senate, shall also be inserted in the journal.

43. The President of the Senate shall, at the commencement of each session, appoint the following committees, to consist of such number as he or the Senate may deem necessary on each committee, with leave to report by bill or otherwise, to-wit:

- On the Judiciary.
- On the Auditor and Treasurer's books.
- On the Militia.
- On Banks.
- On Education.
- On Internal Improvements.
- On Ways and Means.
- On Counties and County Lines.
- On Agriculture.
- On Apportionment, (every four years.)
- On Public Roads.
- On Enrolled Bills.
- On Elections.
- On Public Printing.
- On the Penitentiary.
- On Claims.
- On Memorials.
- On Public Buildings.
- On Public Expenditures.

THE BUSINESS OF THE DAY.

1. The journal is read.
2. Petitions from counties will be in order.
3. Memorials will be in order.
4. Motions and resolutions will be in order.
5. Reports from standing committees will be in order.
6. Reports from select committees will be in order.
7. The introduction of bills.
8. Bills from the House of Representatives, and those introduced on leave, which have been read a first time, and a second time.
9. Engrossed bills on the third reading are put upon their passage.

44. On a motion to strike out and insert, it shall not be in order to move for a division of the question, but the rejection of a motion to strike out and insert one proposition, shall not prevent a motion to strike out and insert a different proposition, nor prevent a subsequent motion, simply to strike out, nor shall the rejection of a motion simply to strike out, prevent a subsequent motion to strike out and insert.

45. It shall always be in order for the committee on enrolled bills to report.

46. Messages may always be introduced, except while a question is being put, or while the yeas and nays are being taken.

JOINT RULES OF THE SENATE AND HOUSE OF REPRESENTATIVES.

1. When the business requires the attendance of the Senate in the Representative hall, they, with the secretary, shall be conducted within the bar, and there seated.

2. When a message shall be sent by the Senate to the House of Representatives, it shall be announced at the door by the door keeper, be respectfully communicated to the Speaker, by the person by whom it may be sent, and a copy thereof be deposited at the clerk's table.

3. The same ceremony shall be observed when a message is sent by the House of Representatives to the Senate.

4. Messages to either house shall be conveyed by the secretary of the Senate, or clerk of the House of Representatives.

5. After a bill shall have passed both houses, it shall be enrolled by the clerk of that in which it originated.

6. When bills are enrolled, they shall be examined by a joint committee, consisting of three members of the Senate, and three from the House of Representatives, to be appointed as a standing committee for that purpose, whose duty it shall be to compare the enrolled with the engrossed bill, as passed by the two houses, correct any errors that may be discovered, and report forthwith to their respective houses, stating such errors as may be corrected by them.

7. After examination and report, each bill shall be signed, first by the Speaker of the House of Representatives, and then by the President of the Senate.

8. After a bill shall have been signed by the Speaker of the House of Representatives and the President of the Senate, it shall be delivered by the joint committee on enrollments, to the governor, and report to each house respectively, the day on which such bill or bills were delivered; which report shall be entered on the journals.

9. When amendments are proposed to a bill in one house, and dissented to in the other, if the house proposing the amendment insists on, while the other refuses to concur in the amendment, either house may appoint a committee of conference, which shall be responded to by the other appointing a committee for the same purpose; and such joint committee shall

meet, and, after conferring upon the subject of disagreement, report the result of their deliberations to their respective houses.

10. When a bill or resolution, which shall have passed in one house, shall be rejected in the other, notice thereof shall be given to the house in which the same originated.

11. The secretary of the Senate or clerk of the House, if directed by either house, shall deliver a copy of each bill, after its first reading, to the public printer, who shall print — copies thereof for the use of its members.

12. All bills, memorials or resolutions, ordered to be engrossed, shall be engrossed by the clerk of the House in which the same originated.

On motion of Mr. Clark, one hundred copies of the rules and joint rules were ordered to be printed for the Senate.

On motion of Mr. Oates, the Senate took a recess until 10 minutes before 11 o'clock, a. m.

At ten minutes before 11 o'clock, a. m., the Senate was called to order.

Message from the House of Representatives:

Mr. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have concurred in the resolution of the Senate appointing a joint committee on rules for the government of the two houses during the present session.

Said committee, on the part of the House of Representatives, are Messrs. Mitchell, Hemingway and Williams.

The House has also concurred in Senate resolution to meet in the hall of the House of Representatives on Friday, the 9th instant, at 11 o'clock, a. m., to count the vote cast for governor at the August election of 1860.

The House of Representatives are now ready to receive your honorable body in their hall, for the purpose of receiving the governor's message.

S. M. SCOTT, *Clerk of*
House of Representatives.

On motion of Mr. Trimble, the Senate repaired to the hall

of the House of Representatives; and being seated therein, the roll of the Senate was called by order of the President, when the following senators answered to their names:

Messrs. Belser, Carrigan, Clark, Davies, Douglas, Fagan, Gray, Lemoyne, McAlexander, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—22.

The roll of the House of Representatives was then called by order of the Speaker of the House, and it appearing that there was a quorum of both houses present, the President announced that the convention was ready to receive the message of the Governor, when Richard H. Johnson, esq., appeared and read the same, to-wit:

GOVERNOR'S MESSAGE.

Fellow-citizens of the Senate,

and of the House of Representatives:

The constitution of the State of Arkansas provides that the governor "shall not be eligible for more than eight years in any term of twelve years." With the fourteenth day of this month the term of eight years from the time of my first installation, as governor of the State of Arkansas, will expire. My successor will, therefore, have to be installed on the 15th day of November, 1860, or there will be an interregnum.

To the printed copies of the official reports and other information, adopted as accompanying documents to this message, you are respectfully referred for intelligence in detail respecting the condition of our state government.

The increase to the taxable property of this state, for the four years from 1852 to 1856, was \$27,857,965; for the two years, 1857 and 1858, it was \$29,115,203, and for the years 1859 and 1860, the increase to the taxable property of the state has been \$42,601,988. The swamp and overflowed lands sold by the state before the 11th January, 1855, were exempted from taxation by the state for ten years, or until reclaimed. Many of these lands will become taxable next year; more of them the year after; and nearly the whole of them during the next four years. This alone will afford a certain increase of, at least twenty millions and perhaps thirty millions of dollars to the value of taxable property in the state, during the next four years.

The payments on the state debt up to the 1st day of October, 1860, amounted to \$2,341,996 17. This sum includes \$145,067 56, the amount of the five per cent. of the net proceeds of the sales of the public lands, which accrued to the State of Arkansas, under the compact between the United States and this state, from the first day of January, 1841, to the first day of January, 1860, and also includes \$5,012 16 which had accrued to this state under the act of Congress to appropriate the proceeds of the sales of the public lands, approved 4th September, 1841, before this act was modified and the distribution of the land fund to the several states suspended by the tariff act of 30th August, 1842. These two funds were retained at the treasury of the United States and applied towards the payment of interest on 628 bonds of this state held by the United States as trust funds. Of these bonds 500 were issued to and sold by the "Real Estate Bank of the State of Arkansas," and 128 were issued to and sold by the "Bank of the State of Arkansas."

At the June term, A. D. 1860, of the chancery court, it was ordered by the court that the receiver of the Real Estate Bank settle and adjust the accounts between the State of Arkansas and the Real Estate Bank, in regard to the five per cent. fund retained by the treasury department of the United States for payment of interest on the bonds issued to said bank, which are held by said department, and to allow to the state in such settlement, interest at the rate of six per cent. per annum from the date of each payment or application of the five per cent. fund up to the date of such settlement; and pay to the state such balance as he may find to be due to her, in the coupons to be severed from the State Bank bonds in his hands as receiver, and upon such settlement to require the state to surrender to him the coupons for the amount of the principal, from the Real Estate Bank bonds in the treasury department, or to give such guaranty against the same as may be deemed by his attorney to be sufficient.

On the 6th of July last, a letter was written in behalf of the state to the treasury department, asking that an official statement be furnished, showing the dates at which the funds accrued to the State of Arkansas, and the amount of each installment retained at the treasury of the United States, and that for the whole amount of the funds of the State of Arkansas, so retained, coupons be severed from as many of the bonds of this state, issued to the Real Estate Bank and held by the United States, as the whole of the money so retained would pay; and to forward the coupons to the treasurer of the State of Arkansas. The letter making these requests was referred to the first comptroller, but the State of Arkansas is yet without the information essential to have the account adjusted under the order

of the chancery court. If the requests of the executive should be complied with, upon the receipt of the information and the coupons, the authorities of the state will then be able to have the account adjusted, under the order of the chancery court. Should this be done, the debt of the state on account of the Bank of the State of Arkansas will be reduced about one hundred and eighty-nine thousand dollars. And the state would thus be made a debtor to the five per cent. or internal improvement fund.

The state also owes to the five per cent. fund, \$68,676 90, on account of that part of the fund received by her up to the first day of January, 1841, including the dividend of \$7,611 72, declared on the fund by the Bank of the State of Arkansas, and without adding interest from 7th March, 1843, to this time, which would increase the debt. If this sum of \$68,676 90 be added to the \$189,000 00, it will make the amount of \$257,676 90, from which should be deducted the \$80,000 of the five per cent. fund appropriated by "an act to authorize the governor to subscribe for stock in certain railroads," approved 31st January, 1859, and the sum of \$177,676 90 will remain unappropriated. In view of the fact that our state is bound by the compact between the United States and this state to apply the five per cent. fund, among other works, to the construction of railways, it is recommended that one hundred and thirty thousand dollars of the five per cent. fund be appropriated out of the state treasury, at an early day, for the completion of the third division of the Memphis and Little Rock railroad, from White river to Little Rock, and that the balance of the fund be appropriated to aid the Mississippi, Ouachita and Red river railroad. This five per cent. fund is annually accruing to the state from the United States. Perhaps it would have a tendency to encourage other railroad companies if a law were passed providing for aid to them out of the future dividends of the five per cent. fund, after the construction of a certain amount of work towards building their respective roads, sufficient to guarantee that the aid afforded them by the state would enable them to complete, at any rate, a part of their respective roads.

If the state had sufficient funds to pay what she owes to the Bank of the State of Arkansas for part of the capital of the bank, withdrawn from the bank under the acts of 3d February, 1843, and 10th January, 1845, and used, many years ago, to pay ordinary expenses of the state, the railroads, when partly constructed, might be hastened on to completion by giving the companies, under proper restrictions, the exclusive right to draw the money so appropriated, upon the express conditions that before drawing the money from the state treasury, bonds of the state, that were issued to and sold by the Bank of the State of Arkansas, should be surrendered to the state treasurer,

amounting, with the unpaid interest, to a sum equal to the amount of the appropriation to be withdrawn by them, and that the money so withdrawn should all be expended in the construction and equipment of the railroads. The most of this debt which the state owes the bank with six per cent. interest on it from the 3d February, 1843, might be paid in the way suggested, in prudent installments, without completely draining the treasury, during the next four years, and without increasing the present low rate of the state tax. But without increasing the state tax, it would be imprudent to provide for paying the debt, except in installments to be adapted to the state of the treasury, taking into consideration other indispensable expenses of the state. Upon this plan, the state could honorably pay a debt which she owes, and greatly aid the railroads without incurring any new debt or new liability.

It is a safe rule to get out of debt as fast as possible, and then pay, as they occur, such expenses as the interests of the state require. By such a policy established, there would be no accumulating interest to pay on money, which perhaps might have been injudiciously expended; and more regard would, under such a policy, be had to true economy. It is, therefore, in the power of the state to afford aid to railroads, and, at the same time, pay a debt which she owes.

You will see by the report of the president of the Memphis and Little Rock railroad company, that the company has contracted for the iron and the chairs and spikes, sufficient for the completion of the road from the present terminus, at the St. Francis river, to Little Rock. That the third division of the road from White river to Little Rock is nearly all graded, and the greater portion of the cross-ties required, already delivered.

That hands are at work sufficient to complete the grade and furnish the balance of the ties as fast as they can possibly be needed for the track; and that this division is now ready for track laying, and that the company only needs funds, immediately available, to enable them to press the work, with vigor and energy to completion. The one hundred and thirty thousand dollars of the five per cent. fund, if promptly appropriated out of the state treasury, would enable the company to finish and place in operation this third division of the road in a few months; and the completion of the remaining unfinished portion of the Memphis and Little Rock railroad would soon follow.

It will be seen by the reports of the auditor and treasurer, that there remained in the state treasury, on the first day of October, 1860, subject to be used for ordinary expenses of the state, the sum of three hundred and four thousand, one hundred and six dollars and ninety-eight cents, *in gold and silver*.

The whole amount of the internal improvement fund distri-

buted to and drawn by the several counties, before the first day of October, 1860, was \$488,692 96, and on that day a balance of this fund remained in the treasury, in specie, amounting to \$17,441 26. The entire amount of the seminary fund distributed to and drawn by the several counties, before the first day of October, 1860, was \$89,595 70, and on that day a balance of this fund, in specie, remained in the treasury, amounting to \$3,306 51.

The whole amount of the saline fund distributed to, and drawn by the several counties, before the first day of October, 1860, was \$14,778 56, and a balance of this fund, in specie, remained in the treasury on that day, amounting to \$1,988 15.

The seminary and saline funds when distributed to the several counties, to aid in the support of common schools, are placed under the control of the county authorities, upon whom it devolves to have the funds taken care of and properly applied to the objects for which they are intended. The common school fund, arising from other sources, must be sufficiently large in many of the counties to justify the establishment of some free schools. But as the funds and common schools are, by law, placed under the control of the county and township officers, the executive has not sufficient information on the subject to determine whether the fund is properly taken care of or not, and sacredly applied, as it should be, towards the education of the children of the county.

This subject is one of so much importance that it should be investigated, and whatever can be properly done for the advancement of education should be attended to without failure.

For all the information on the subject, which the secretary of state, as superintendent of common schools, has been able to obtain, you are respectfully referred to his report, dated 30th October, 1860.

Your attention is respectfully invited to the reports of the keepers of the penitentiary. It appears that 121 convicts and 3 runaway slaves remained in the penitentiary on the 1st day of October, 1860. That 107 of the convicts were sent to the penitentiary by our state courts, and 14 by the United States courts. The three runaway slaves are detained at the penitentiary subject to be retrieved by their owners.

From my message, dated 3d November, 1858, the following quotation is made, to-wit: "It is recommended that provision be made for building a house for the warden or keeper, at the penitentiary, that suitable arrangements be made for imprisoning female convicts, and that a cistern to supply sufficient water for the use of the institution be constructed."

"It seems to the executive that it would be good policy to

provide for manufacturing coarse cotton cloths, by the labor of the penitentiary convicts."

"Your early attention and action are solicited to the subjects connected with the penitentiary, for the important reason that the existing contract for the keeping, clothing and subsistence of the convicts will expire on the 25th day of Jan'y next." (1859.)

The General Assembly passed "an act to provide for the management and control of the penitentiary," approved 17th February, 1859. Whilst this bill was pending, and before it was passed, the governor sent a special message to the General Assembly, dated 10th February, 1859, in which he stated, as follows, to-wit: "I transmit a communication from Alexander George and John Robins, late contractors for keeping the Arkansas penitentiary, asking to be relieved from the responsibility and expense of keeping the convicts as early as practicable, consistent with the interests of the state; that provision be made to pay them for all convicts sent by the state courts to the penitentiary, at the rate of thirty-five cents per day, for each convict, from the 25th January, 1859, when their contract expired, until a new contract shall be made for keeping the convicts." "Also, stating that they will continue to take care of the convicts upon those terms, and will also take care of the convicts sent to the penitentiary by the United States' courts, for the compensation allowed by the United States therefor; which is fifty cents per day for each convict, which is paid by the United States." "George and Robins, since the expiration of their contract, by my request, have continued to take care of the convicts hoping that some law would be passed, by which they would soon be relieved." "The system about to be adopted by the General Assembly, it is supposed, will require some considerable delay, *and perhaps may fail to work*; and there is *no law to provide for such a contingency*." "George and Robins; although they would prefer being relieved from the certain expense to them for an uncertain length of time, if compensated at the rate stated, will continue to attend to the penitentiary, as heretofore, until some other arrangement shall be made, but otherwise, wish to surrender up the penitentiary at once." * * * "In the event of a failure in the new system to work, some authority should be vested in some officer of the state, and means appropriated to provide for the emergency; for there are so many convicts that some discretionary power should be by law vested in some one to have them legally taken care of." "So far as the governor is concerned, he does not object to responsibility, *if he has legal discretionary authority and means appropriated by law to be used at his discretion to promote and protect the interests of the state*; but without these essentials, however willing he might be to endeavor to carry out the wishes of the General Assembly, he might not be able to do what an

emergency might render necessary." This special message may be found in senate journal for 1858-'9, on pages 480 and 481, and following it, the proposition of A. George and John Robins.

This message was promptly referred by the senate, on the 10th February, 1859, "to the committee on the penitentiary, with instructions to report thereon as early as practicable;" and the committee reported the joint resolution, which was passed by the senate on the 11th of February, 1859, and was afterwards passed by the house of representatives, and approved by the governor, 21st February, 1859; and which is on page 313 of the printed acts passed in 1858-'9. It is provided by this joint resolution, "that the governor be authorized to pay said Alexander George and John Robins the sum of thirty-five cents per day for keeping the state convicts, from the 25th day of January, A. D., 1859, the expiration of their late contract, and to continue until another contract be entered into, and that the governor be authorized to draw such (amount) from the state treasury."

The act to provide for the management and control of the penitentiary, provided that the governor of this state be and he is hereby authorized and required to contract with some suitable person or persons *upon the terms hereinafter stated*, to lease the penitentiary grounds, buildings and convicts, until the close of the session of the General Assembly of 1862, to some responsible person or persons upon the best terms, to be paid annually into the state treasury, and the contractor or contractors, it was provided should give bond, with security, in the sum of one hundred thousand dollars, conditioned that the said convicts shall be safely kept, subsisted, comfortably clothed, humanely treated, and when sick to be furnished with all necessary medicine, and medical attendance, and suitable diet for sick persons, from the date of the contract until the close of the session of the General Assembly of 1862, free from all expense to the state, and that they will, in all respects, faithfully perform said contract, in compliance with the provisions of this act. The contractor was also required by the act to construct a cistern within the penitentiary walls, with capacity to hold forty or fifty thousand gallons of water, and furnish and properly fix to said cistern a good and sufficient force pump; and the sum of four hundred dollars was appropriated to pay for the cistern and force pump, and all necessary apparatus to conduct the water off of the buildings into the cistern. The governor was required to make the contract upon the terms stated in the act, "upon giving a reasonable notice, through the various newspapers, to bidders."

On the 2d March, 1859, the governor published his notice, inviting sealed proposals until the 2d day of May, A. D. 1859, and a copy of the said act of 17th of February, 1859, was ap

pended to and published with the notice three times, once a week, in all the newspapers then printed in the state, before the second day of May, A. D. 1859, but not one single bid was made by any person or persons. The terms prescribed by the law would have been very good for the state, but as I feared when I made the special message, the system adopted by the General Assembly failed to work. And if the joint resolution of the 21st February, 1859, had not been passed, accepting of Alexander George and John Robins' proposition of the 10th February, 1859, to safely keep the convicts and furnish them with bedding, clothing, food, and when sick, with medicines and medical attendance, for thirty-five cents a day for each state convict, until another contract be entered into, the convicts would have been left without any legal keeper, and the authorities of the state without any appropriation to pay the expenses of keeping them; and without any authority to make a contract for keeping them, except such a contract as the act of 17th February, 1859, positively required to be made, if any at all were made, in accordance with law.

As the state does not own any of the bedding, clothing, furniture, tools, or implements in use at the penitentiary, but only the buildings and grounds, a contractor would have to incur considerable expense for such things as well as for provisions.

To supply the institution with water, a new well has been dug, and a cistern with capacity to hold forty or fifty thousand gallons of water, has been constructed within the walls of the penitentiary. A suitable force pump has been properly fixed to the cistern, and good leather hose, 300 feet long, has been procured to attach to the pump, and be used in case of fire.

It will be seen by the report of the keepers of the penitentiary that they admonish the authorities of the state that additional room will be required for keeping the convicts, and that additional workshops are necessary for the institution.

Compare the condition of the penitentiary now with what it was on the 17th February, 1853. There were then but 84 cells for convicts, in a building covered with shingles, and inclosed by a board or plank fence. Since the 17th of February, 1853, the large, high and substantial stone wall, forming a square of 300 feet, has been constructed around the penitentiary buildings; the building containing the cells has been built five feet higher than it was, and eighty-four additional cells constructed in it; and the whole covered with a good slate roof; two large workshops, a hospital and mess room, and a large smoke-house, all have been built, in the best manner, of brick and covered with slate, and the old building containing the cells was also repaired. For the materials and the construction of the wall and all of these substantial buildings, and for safely keeping the convicts, and furnishing them with food, bedding, clothing, and

when sick, with medicines and medical attendance; from the 17th February, 1853, to the 25th January, 1859, the state paid \$81,248 00. And the wall, and all the buildings constructed are of a permanent and enduring character, and are now, and will be for years to come, worth more to the state than the improvements cost. The General Assembly acted wisely in having these improvements made, and they stand as monuments to show that the state has full value for the money which the General Assembly appropriated to build them. When we take into consideration the facts that the State of Arkansas, during the last few years, has been rapidly increasing in population, and that the increase to the taxable property of the state during the two years, 1859 and 1860, amounts, alone, to a sum equal to what the total value of all the taxable property in the state was for the year 1852, and that our state treasury is abundantly supplied with gold and silver to pay all ordinary expenses of the state, we cannot fail to rejoice at such evidences of prosperity, and feel proud of our growing state. It is gratifying to know that our state has the means to pay for enlarging the penitentiary, erecting work shops, buying machinery, and converting the institution into a manufacturing establishment, which would render it a source of revenue instead of a tax upon the treasury. It seems to the executive that true economy requires the adoption of such a policy. To the reports of the superintendent and of the chaplain of the penitentiary, your attention is respectfully invited.

The trustees and the superintendent of "the Arkansas Institute for the Blind," have made very interesting reports, which merit, and it is hoped, will receive your careful consideration. The aid and encouragement asked should be freely granted to the institution by the state; and it is hoped will be without failure. It is the duty of the state to encourage such institutions; and it has abundance of means to make such liberal provision as would render the institution permanently useful.

The state owns a block of beautiful lots, some two or three hundred yards south of the penitentiary, and adjoining the western boundary of the city of Little Rock, in a high and healthy locality. It is recommended that a liberal appropriation of money be made for the construction of suitable buildings upon this block of ground, for an asylum for insane and lunatic persons; and that proper legislation be had upon the subject, to regulate and sustain the institution when established. Such an institution is much needed, and if established, would relieve the counties from the care of insance and lunatic persons. The counties have no suitable buildings or facilities for taking care of such unfortunate persons; many of whom with proper care and medical treatment, might be restored to sanity.

Your attention is invited to a communication from the com-

missioner of the general land office, dated August 22d, 1860, upon the subject of the joint resolution of the General Assembly of the State of Arkansas, approved 4th February, 1859, relative to procuring for this state, "complete lists of all lands in the State of Arkansas that have been ceded, granted, sold, donated, or otherwise disposed of by the general government; together with a list of all entries, grants or locations that have been canceled or set aside," "and the probable cost of obtaining such lists, and whether, in his opinion, the obtaining of such lists by the state would be of advantage thereto, and warrant the cost of obtaining the same." The commissioner states that it would be a work of great magnitude, and involve an expense, which, in his opinion, would not be warranted by any benefit the state might expect or derive therefrom.

To the report of the swamp land secretary, and the recommendations therein made, your attention is respectfully invited. By it you will see that the work of reclaiming swamp and overflowed lands has been vigorously prosecuted.

The unusually large amount of 3,815,643 93 cubic yards of levee and ditch work was constructed and paid for during the two years ending with the 30th day of September, 1860. Since the supervision of this troublesome business, requiring great extra labor, was confided to the governor, by the act of 13th January, 1857, the amount of levee and ditch work constructed and paid for up to the 1st day of October, 1860, was six millions, thirty-seven thousand, seven hundred and ninety-four and 31-100 cubic yards. The whole amount paid, upon orders of the governor, for the construction of this work, was \$1,100,-487 66. This business was formerly confided to three swamp land commissioners, and it was considered so important and laborious that each commissioner was allowed a salary of two thousand dollars per annum, besides contingent expenses.

By the reports of the commissioners, it appears that the whole amount of levee and ditch work constructed and paid for by their orders, commencing in the year 1851, and ending in the year 1856, embracing six years, was 7,026,672 56-100 cubic yards, for the construction of which, the commissioners allowed and caused to be paid \$1,435,469 58. To the amount and cost of levee and ditch work constructed under the administration of the commissioners, add the amount and cost of the levee and ditch work constructed under the direction and control of the governor, and it will be seen that the whole amount of levee and ditch work ever constructed and paid for by the state, from the beginning of the work in 1851, up to the 1st day of October, 1860, was thirteen millions, sixty-four thousand, four hundred and sixty-six and 87-100 cubic yards; and that the whole amount paid for the construction of this work, was \$2,538,957 24. The state has no work under contract in

the Helena district; and no new contracts can be made for levee and ditch work in that district, for the reason that the unsold lands in the district, after satisfying the outstanding warrants and scrip, would not be sufficient to pay for such works as are necessary in the Helena district.

The estimated cost of levee and ditch work now under contract, and being constructed in the Batesville district, is \$223,972 37. It is believed that all this work will be completed during the next twelve months. For information in detail with regard to the amount of such work constructed in each district, you are respectfully referred to the report of the swamp land secretary; and for information of the confirmed swamp and overflowed lands remaining unsold in each district, to the report of the auditor. As the swamp land interests of the State of Arkansas have not yet been fully adjusted at the general land office of the United States, the amount of money and land to which this state will be entitled, under the acts of Congress approved March 2d, 1855, and March 3, 1857, in lieu of swamp and overflowed lands disposed of by the United States, after they had been granted by the State of Arkansas by the act of Congress of the 28th September, 1850, has not been ascertained. Therefore, this state has not yet received any money or land under either of the two acts of Congress designated. Provision by law should be made for obtaining from the United States, the money, and for the location of the lands during the next two years, and also for the appropriation of the money and the disposition of the lands when obtained under the two acts of Congress referred to.

By the act of Congress of 12th March, 1860, the time within which this state must complete the selections of swamp and overflowed lands granted to her by the act of 28th September, 1850, has been limited to two years from the adjournment of the present session of the General Assembly of our state. It is therefore recommended that such legislation be had as is necessary to insure the selection, within the limited time, of all the remaining unconfirmed swamp and overflowed lands, to which the state is entitled. Under the present law, the selecting agents cannot be paid anything for their expenses or labor until after the authorities of the United States shall have confirmed to this state the lands selected by these agents. Provision ought to be made to compensate the agents who rendered such services to the state, and who have not yet received any remuneration.

Since the last session of the General Assembly, the governor designated three hundred and twenty acres of land, and caused the same to be confirmed to the State of Arkansas, as an unconfirmed portion of saline land, which had remained due

the state, under the compact between this state and the United States.

Your attention is invited to the report of the solicitor general of the State of Arkansas, dated September 20th, 1860, on the subject of five sections and nine-sixteenths of a section of unlocated seminary land sold by the governor in the year 1842, under "an act to authorize the governor to dispose of the seminary lands," approved December 28th, 1840. This act of the General Assembly contemplated the location of the unlocated claims sold, in legal subdivisions of not less than *one half quarter section*. But the act of Congress of March 2, 1827, prescribed that the seventy-two sections of land granted by it for a university, should be located in tracts of not less than an entire section, corresponding with any of the legal divisions into which the public lands are authorized to be surveyed. The parties who purchased the unlocated claims in the year 1842, applied to the courts, and after many years of litigation, succeeded in having the contracts annulled, and the state perpetually enjoined from the collection of the purchase money. The five sections and nine-sixteenths of a section of unlocated seminary land have therefore reverted to the state, and amount to 3,560 acres yet to be located to complete the quantity of seventy-two sections granted by the act of Congress, approved March 2, 1827. Your attention is respectfully invited to the suggestions of the solicitor general in regard to the propriety of applying to Congress for the passage of an act to authorize the location of these seminary lands in small subdivisions, and to authorize the state to locate one hundred and sixty acres of land to complete the quantity of one thousand acres granted to the late territory of Arkansas, by the act of Congress of 15th June, 1832, for the erection of a court-house and jail at Little Rock. The act granted one thousand acres contiguous to and adjoining Little Rock; but it appears that the United States had disposed of all the land, so situated, except eight hundred and forty acres, which leaves an unsatisfied claim of one hundred and sixty acres, for which the state should be allowed an equivalent by the United States.

Your attention and consideration are respectfully invited to the report of the secretary of state, as commissioner of public buildings. It is hoped that the General Assembly will not permit these buildings to go to ruin for the want of repairs. For the interests and honor of the state, and as a measure of true economy, the state house, and the rooms in which the offices of the state are kept, ought to be thoroughly repaired, and properly furnished. The state library is very valuable, but there is no suitable place for keeping it. There is not room to arrange, in order, the books, or to have them so kept as to preserve them from injury. It would be well to provide for

erecting a building for the accommodation of the state library. This bulding should be sufficiently large to insure abundance of room, in all the future. It would also be well to provide for making a complete cataloge of the library; and to cause the librarian to make and keep in his office a register of every book or work added to the library. Some system of accountability for the certain preservation of the books which belonged to the state, might then be adopted. The state ought also to provide and furnish, in the best manner, an executive mansion, and have it supplied with necessary lights and fuel. To provide a house, and leave the governor to pay for suitable furniture for the executive mansion of the state, would impose upon him a considerable tax for the use of the building. Our state is just as able as any other state in the Union, to provide for all three of the departments of the government, whatever is necessary and proper for promoting the public service, and without extravagance, can now afford to evince a little state pride by having everything well done that she has done at all.

Our state is rapidly increasing in population and wealth, and the business in the circuit courts, as a consequence, is increasing. There are now but six judicial circuits, and, as there are fifty-five counties in the state, each judge of the circuit court has a large circuit, and so many causes to adjudicate, that for the want of time to try all of them, it frequently happens that some of them have to be continued. It is therefore, recommended that three additional circuits be created, and that provision be made for the election of a judge of the circuit court, and a prosecuting attorney for each of the newly created circuits. It seems to the executive that it would be well to have three terms of the circuit court held in every county, every year, as a convenience to litigants, and in order that every criminal might have his constitutional right of a speedy trial before witnesses, in his case, would get out of the way. It costs the counties so much to keep criminals in jail six, and often twelve months, before they are tried, that if the prisoners all break jail, and get away, there is but one consolation left to the people, which is, if the law cannot be properly vindicated the cost of keeping the criminals often ceases by their escape from prison. By proper legislation the law can be vindicated, and the people of the counties relieved of considerable expense.

The General Assembly, at the last session, passed some resolutions, as proposed amendments to the constitution of this state, to provide for the election, by the qualified voters of this state, of a secretary of state, an auditor and a treasurer, and also an attorney general for the state. As governor, I approved these resolutions on the 21st February, 1859, and it devolved upon the secretary of state to have them "published in all the

newspapers published in this state, three several times, at least twelve months before the next general election." Major David B. Greer was secretary of state, and had held that office for more than nineteen years. He had always attended so faithfully and promptly to having proposed amendments to the constitution published, that I was under the impression that those proposed at the last session had been duly published, until I ascertained, after it was too late to have them published, that they had not been published by authority of the secretary of state at all, but only, perhaps, by some few newspapers, as matter of information with regard to the proceedings of the General Assembly. A gentleman who was then deputy secretary of state is now a member of the Senate of this state, and from him the executive learned that the failure, on the part of the secretary of state, to have published the proposed amendments to the constitution was purely accidental.

On or about the 28th day of August, 1859, Major David B. Greer, secretary of state, of this state, died; and, on the 3d day of September, 1859, Alexander Boileau was appointed to fill the vacancy in the office. Mr. Boileau held the office of secretary of state but four months and a half from the date of his appointment until he died on the 18th day of January, 1860. Our state has, therefore, been so unfortunate as to lose, by death, two able and faithful public servants from the same office during the last two years.

On the 21st day of January, 1860, Samuel M. Weaver was appointed secretary of state to fill the vacancy that had occurred in the office by the death of Alexander Boileau.

The executive and the people of Arkansas are indebted to the courtesy of Brevet Major James Henry Carleton, of the United States army, for a copy of that part of an able report made by him, relative to the horrible massacre at the Mountain Meadows, in Utah territory, in September, 1857, of one hundred and twenty men, women and children, who were from the State of Arkansas, and had traveled that far on their way to California. There were seventeen small children, only, left alive out of this large emigrating party of about one hundred and forty souls. This party was considered the wealthiest in horses, mules, cattle, wagons, carriages, money, and other property, of any party that attempted to cross the plains in the year 1857. The massacre was the most awful ever committed in the history of our country. The seventeen children were recovered from the Mormons and brought back, by authority of the United States; and, by the report of Hon. Wm. C. Mitchell, who, as agent of the government of the United States, brought the children from Fort Leavenworth, you will learn their names, ages and sex, and also the places of their residence in this state. The United States ought, at least, to provide some

indemnity for the property and money which the Mormon and Indian murderers appropriated, after they had massacred the owners. Printed copies of the reports of Brevet Major Carleton and Hon. Wm. C. Mitchell, will be laid before you, and your attention is respectfully invited to them.

There will be laid before you printed copies of the reports of the land attorney and state collector, the financial receiver of the "Bank of the State of Arkansas," and the receiver in chancery of the "Real Estate Bank of the State of Arkansas."

The whole number of bonds of the state, sold by the Bank of the State of Arkansas, was 1,169, each for \$1,000. One thousand of these were six per cent., and 169 five per cent. bonds. Up to the first day of October, 1860, 144, of the five per cent. and 415 of the six per cent. bonds had been redeemed, canceled and filed with the state treasurer. On that day there remained unredeemed 25 of the five per cent. bonds, which will not be due until the first day of January, 1887, and 585 of the six per cent. bonds, which will become due on the first of January, 1868. The bonds and coupons of this bank, redeemed, canceled and filed with the state treasurer, before the 1st day of October, 1860, amounted, when redeemed, to \$956,569 35. On the first day of October, 1860, the interest due and unpaid on the 610 outstanding and unredeemed bonds, amounted to \$677,717 50, which sum, added to the principal, not yet due, makes \$1,287,717 50; but from this should be deducted the \$189,000 00, before alluded to in connection with the order of the chancery court, and then the debt on account of the Bank of the State of Arkansas, will be shown to be \$1,098,717 50. A plan for paying this debt has been recommended in the preceding part of this message. There are so few available assets of the Bank of the State of Arkansas, that, under suitable legislation, the treasurer of the state might be made ex-officio financial receiver, and attend to closing up the business of the bank.

The constitution of the State of Arkansas gave power to the General Assembly to incorporate a banking institution, calculated to aid and promote the great agricultural interests of the country, and to pledge the faith and credit of the state to raise the funds necessary to carry it into operation, "*Provided*, Such security can be given by the individual stockholders as will guarantee the state against loss or injury." In the exercise of the power so granted, the General Assembly passed "an act to establish the Real Estate Bank of the State of Arkansas," approved October 26th, 1836. This bank was to have "an original cash capital of two millions of dollars, to be raised by loans or negotiations on the security of real property, at its cash value, with the guarantee of the public credit."

Before any bonds were issued by the state to the bank, as

security to guarantee the state against loss or injury, and as security to the bondholders for the payment of the bonds and the interest on them, the 180 stockholders in the original bank and branches mortgaged 127,520 65-100 acres of land, valued by commissioners, under oath, at \$2,603,932 32. Under the act approved February 24th, 1838, to establish the western branch, 100 persons became stockholders in the Real Estate Bank, and mortgaged 60,290 24-100 acres of land, valued by commissioners, under oath, at \$776,840 06, making in all, 187,710 89-100 acres of land, valued at \$3,380,772 38.

On the first day of October, 1860, there were 899 six per cent. bonds, which had been issued to, and *sold* by this bank, remaining unredeemed. These bonds will be due on the 26th October, 1861. The interest unpaid *by the bank*, on the 1st day of October, 1860, amounted to \$905,905 00, but from this should be deducted \$150,079 72, funds of the state retained at the United States treasury, and directed to be applied towards the payment of interest on the 500 bonds of this state, issued to and sold by the Real Estate Bank, and which are held by the secretary of the treasury in trust for the benefit of the Smithsonian Institute. After making this deduction, the interest remaining due and unpaid on the 1st day of October, 1860, was \$755,825 28, and when added to the 899 bonds, will show that the liability of the state for bonds *sold* by the Real Estate Bank, and interest due on them was \$1,654,825 28, on the 1st day of October, 1860. But the bank had an additional liability for principal and interest up to the first day of October, 1860, of \$267,405 71, on account of the \$121,336 59 borrowed by the bank on the 7th September, 1840, upon the 500 bonds of this state, which the bank, in violation of law, hypothecated to the "North American Trust and Banking Company" of New York. This company sold the bonds and placed them beyond the control of the state.

For some information on the subject of this fraudulent disposition of these 500 bonds, you are respectfully referred to pages 25 to 39, inclusive, of the appendix of the journal of the House of Representatives of the General Assembly of this state, for the session which began on the 7th November, 1842. These hypothecated bonds were issued by authority of "an act to authorize the stockholders of the Real Estate Bank of the State of Arkansas, to establish a branch in the western part of this state," approved February 24th, 1838.

Under the acts of 26th October, 1836, and 19th December, 1837, there were 1,530 six per cent. bonds of this state, issued to and *sold* by the Real Estate Bank of the State of Arkansas, 631 of which were redeemed, canceled and filed with the state treasurer before the 1st October, 1860, as fully paid off, and 45 more of the unredeemed bonds were deposited before the 1st

October, 1860, with the state treasurer, as a trustee, under sections 8 and 9 of the act of the General Assembly amendatory of the act establishing a separate court of chancery, approved 13th January, 1857, to protect from sale certain lands mortgaged for stock in the Real Estate Bank.

The whole amount of the state bonds and coupons issued to and sold by this bank, and which were redeemed, canceled and filed with the state treasurer, as fully paid off, before the 1st day of October, 1860, was \$1,235,347 10. If to this be added the \$150,079 72, funds of the state retained at the United States treasury, to pay interest on bonds issued to this bank, it will be seen that the amount of the state debt, on account of the Real Estate Bank, which was paid before the 1st day of October, 1860, was \$1,385,426 82. If we add to this the \$956,569 35, for the amount of the State Bank bonds and coupons canceled and filed with the state treasurer, as fully paid off, before the 1st day of October, 1860, it will be seen that the payments on the state debt, on account of the two banks, amounted on the 1st day of October, 1860, to \$2,341,996 17, as before explained and stated.

In addition to this amount of payments on the state debt, on account of bonds of the state issued to and sold by the banks, there were redeemed, canceled and filed with the state treasurer, as fully paid off, on the 30th June, 1860, six bonds, each for \$1,000, executed by Governor Archibald Yell, under the act of 22d December, 1840, for money borrowed by the state from the Real Estate Bank. These bonds, and the interest due on them, amounted, on the 30th June, 1860, when redeemed, to \$8,642 91.

The state has made considerable progress towards getting out of debt, and if the present low rate of the state tax, which is but one-sixth of one per cent. on the assessed cash value of taxable property, be permitted to remain, without reduction, and the policy recommended be adopted and carried out in good faith, our state will, in a very few years, be entirely out of debt. Our railroads, too, will be constructed, and population and wealth will annually flow into our state, perhaps with more rapid increase than the great additions during the last two years. We must remember that Arkansas is now a great and prosperous state, and that it is the duty of her public servants to guard with vigilance and faithfully protect her interests, and with commendable state pride to work zealously and with expansive views, but never forgetting to practice true economy, to hasten our state on to the high and enviable position towards which she is now so rapidly advancing.

In a former message I said, "the State of Arkansas will never repudiate her just debts. She will honestly pay them all whenever she can command the means." With such senti-

ments, and under such a belief, I have labored and worked, during my administration of eight years, lacking but a few days. In this, my last message, as governor of the State of Arkansas, I tender my thanks to the patriotic members of the General Assembly, who passed the laws then needed, with regard to the banks; to the able and faithful accountants who investigated and reported the condition of the two banks, which for so many years had been wrapped up in mystery, so far as the authorities and people of the state were concerned; to the learned and efficient attorney who, in behalf of the state, prosecuted and defended the very important suits in which large interests of the state were involved; and also, to the courts that administered with integrity and ability the laws on the subject of the banks, and the interests of the state involved. To all of these, and to the integrity and ability of the receivers of the banks, the people of the state are much indebted for the progress which has been made towards the payment of the state debt.

When the bonds of the state were issued to the Real Estate Bank of the State of Arkansas, it was never intended that the people of the state should be taxed to pay the bonds, or the interest on them; for the security which the individual stockholders gave by mortgaging lands was, and now is, amply sufficient to protect the state from any loss whatever on account of the bonds issued to and sold by the bank. The lands embrace many of the best and most valuable plantations in the state. The state has not yet resorted to these mortgaged lands to raise money to pay interest on the bonds. Many of the mortgaged lands have been sold, *subject to the mortgage*, leaving the right to the state, under the charter, and proper legislation, "*to cause to be seized and sold according to law, the property mortgaged in whose hands soever the same may be found, in the same manner, and with the same facilities, as it was seized in the hands of the mortgagor, notwithstanding any sale or change of title thereof, by inheritance or otherwise.*"

You perceive that it was contemplated by this provision of the charter, that, in case of necessity, the proceedings to raise money to pay the bonds and the interest on them, should be had directly against the property mortgaged as indemnity to the state and the holders of the bonds, for the payment of the bonds and the interest on them. The proceedings should be directly against the mortgaged lands, without any regard to the sales or change of title. Under proper legislation, one bill could be filed against all of the lands mortgaged for stock, in the original bank and branches, and a decree obtained, rendering the several tracts mortgaged by each stockholder, liable for the proper *pro rata* amount, in proportion to the amount of stock awarded on the lands mortgaged by the stockholder, so that the whole of the debt of the state, on account of the bonds

and interest on them, could be paid by making each parcel of lands mortgaged pay only the proper *pro rata* amount. In this way justice would be done to all the parties interested, without oppressing them, and the state would not lose one dollar on account of the Real Estate Bank. After filing the bill against the lands, a notice of the facts, published in a newspaper, should be made sufficient, without any other notice being given in any other way. The official reports of the receiver in chancery of the Real Estate Bank, and state treasurer designating the bonds of the state, issued to and sold by the bank, that remained due and unpaid, and showing the amount of interest due and unpaid on each separate bond, and the aggregate amount of the unpaid bonds, and of the due and unpaid interest up to the date of the filing of the bill, should be made by law evidence of the facts that such bonds and interest remained unpaid, which facts established should be made sufficient, without the production of the bonds, for the state to obtain the necessary decree against the lands. When the lands are sold, the money should be paid directly to the state treasurer, and be sacredly applied to the payment of the bonds, and interest on them.

There are other matters necessary to be provided for, that the law should embrace, to adapt the legislation to the condition of the matters involved. I have, in former messages, had so much to say about this bank, that I now submit the subject to you, with full confidence that in your wisdom and patriotism you will guard and protect the interests of the state; cause the debt of this bank to be paid out of the abundance of the security, without incurring any new debt, or suffering the bank debt to fall on the people to be paid by taxation. The people ought not to be taxed one dollar to pay this bank debt, for the mortgaged lands are more than sufficient to pay every dollar of the debt.

By table H of the auditor's report, it appears that there were no returns of tax books for the year 1860, from the counties of Columbia, Chicot, Ouachita, Polk and Union, but the tax books for the year 1859, were returned from these five counties, as is shown by table G of the auditor's report. Without allowing anything for increase, if the property taxed in these five counties, for the year 1859, be added to what was taxed for 1860, in the other fifty counties, it will be shown that there were taxed in the State of Arkansas, for the year 1860, besides other property, 75,616 slaves, 299 saw-mills, 111 tan-yards, 59 distilleries, 3,297 pleasure carriages, 75,007 horses, 29,518 mules, 1,204 jacks and jennies, 275,342 neat cattle, \$3,122,615 in goods, wares and merchandize, \$1,308,590 money loaned at interest, \$97,032 invested in steamboats, \$284,619 in gold watches and jewelry, and \$45,289 invested in manufactories.

The whole value of property taxed in the state for the year 1852, as shown by table J, in the auditor's report of 1st October, 1854, was \$42,900,080 00; and the increase during the subsequent eight years, has amounted to about one hundred millions of dollars.

Dr. David D. Owen, state geologist of Arkansas, has forwarded, for information of the executive and the General Assembly, a manuscript copy of the first and second chapters of the second volume of the Geological Report of Arkansas. In his letter, dated 25th September, 1860, he states that "this manuscript does not comprise the whole of the matter, but it contains a full synoptical description of the result of the survey, from 1859 up to the present time."

Five thousand copies of this second volume are now being printed in Philadelphia, and it is presumed that before the adjournment of the General Assembly, will be ready for distribution. This second volume will be quite interesting and valuable. The geological reconnoissance of the state has been completed, which is the preliminary step to a regular detailed survey. It is recommended that liberal provision be made for the prosecution of the detailed survey, by which it is believed the state would be greatly benefited.

Of the 2,000 copies of the first geological report on the northern counties of Arkansas, 800 copies were sent to the Smithsonian Institute for distribution in Europe, and elsewhere, to scientific men and institutions; and 560 bound copies were placed in our state library, after getting through with distributing copies to states, territories, institutions of learning, and individuals in the United States, and allowing to the state geologist two hundred copies for him to distribute.

Under the constitution, it devolves upon the General Assembly, "from time to time, to pass such laws as shall be calculated to encourage intellectual, scientific and agricultural improvement, by allowing rewards and immunities for the promotion and improvement of arts, science, commerce manufactories and natural history, and countenance and encourage the principles of humanity, industry and morality." This is a very comprehensive and valuable provision of the constitution, and if its requirements were fully carried out upon a liberal and proper basis, so many elements of progress would be brought into life and healthful and vigorous action, that innumerable benefits to the people would be produced, and the character of our state at home and abroad would be elevated and enobled.

It is recommended that suitable legislation be had to authorize such counties as may choose to do so, to levy a tax to raise money to buy suitable arms to arm their volunteer companies of militia.

It is well to observe and comply with every provision of the

constitution, so that our government may not, by neglect or disuse of certain provisions of the constitution, be virtually changed from what it was provided by the constitution it should be. The constitution of the United States declares that a well regulated militia is necessary to the security of a free state. The acts of congress and the laws of this state require that the militia shall be organized, armed and disciplined.

In organizing, arming and disciplining the militia of our state, we are but doing duties enjoined by the constitution and laws of the United States and this state, and providing what is necessary for the security of our state. It is hoped that you will give such consideration to this subject as its great importance demands; and do whatever is necessary to insure complete organization, and make the militia of our state a high and well disciplined order of citizen-soldiers.

During my administration of eight years, lacking now but a few days, it has been my earnest desire and constant endeavor so to administer the government as to restore the lost credit of the state, develope its unbounded resources, drive out of use depreciated paper and small bank bills, supply our treasury with the constitutional currency of gold and silver, insure to the people of the state the same kind of a solid and reliable currency, advance the cause of education, faithfully execute the laws, promote true economy, protect the interests of the state, promote the public good and merit the approbation of the people.

During this long service, having so many perplexing and important duties to perform, connected with the complicated affairs of the state and banks, and for four years the immense extra labors and annoyances of managing and controlling the reclamation of the swamp lands, by levees and ditches, it would be unreasonable to expect universal approbation of my official acts. I have sought to do my whole duty to the state and people. For the confidence and support which the people of the State of Arkansas have yielded me, I shall not cease to feel grateful, and in this, my last message, as Governor of the State of Arkansas, I tender to the people of the state, my sincere thanks.

We have great cause to be thankful to Almighty God that He has blessed our state and made it more prosperous than it ever was before.

With my sincere and grateful thanks to the Author of all good for what success I may have attained in my constant labors to promote the interests and honor of our state, I submit to you this statement of the condition of our government.

ELIAS N. CONWAY.

EXECUTIVE OFFICE,
Little Rock, Arks.,
6th November, 1860.)

OPINION OF THE SOLICITOR GENERAL OF THE STATE OF ARKANSAS, RELATIVE TO THE POWERS OF MILITIA OFFICERS.

LITTLE ROCK, 31st July, 1860.

SIR—As to drills and reviews, the law designates certain times at which regimental, battallion and company musters shall be held, but this was only intended to secure that number in each year, and the law no where by letter or implication, prohibits militia officers from having drills and reviews at other times, according to their discretion. They have the power to order them, and persons subject to military duty would be bound to obey the order, and failure on their part, to obey such order, would be subject to the same penalty as where the time of mustering is fixed by law.

Yours, very respectfully,

S. H. HEMPSTEAD,

Sol. Gen'l. of Arkansas.

Gov. E. N. CONWAY,

Little Rock, Ark.

After the reading of the message, the Senate returned to their chamber.

Mr. McColloch moved to adjourn until 9 o'clock to-morrow morning.

Mr. Fagan moved to adjourn until 10 o'clock to-morrow morning; which motion was put and failed.

Mr. McColloch then gave way to Mr. Trimble, who moved that 3,000 copies of the governor's message be printed for the use of the Senate; which motion prevailed.

Mr. McColloch renewed his motion, which prevailed, and the Senate adjourned until 9 o'clock to-morrow morning.

THOS. FLETCHER,

President.

THURSDAY, November 8th, 1860.

Senate met pursuant to adjournment.

The roll was called and the following senators answered to their names:

Messrs. Belser, Carrigan, Clark, Davies, Douglas, Fagan, Gray, Jones, Lemoyne, McAlexander, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—23.

The journal of yesterday, (except the governor's message, the reading of which was dispensed with) was read, approved and signed.

Petitions and memorials were announced in order.

Mr. Miller presented two several petitions, signed by numerous citizens of Franklin county, representing that in the year 1831, a certain negro man named Elijah, was by his master emancipated and set free, upon payment of the sum of five hundred dollars, and has been ever since, residing in this state, in said county, that said Elijah has demeaned himself well, supporting himself and his aged mother, whom he purchased about 27 years ago, that said negro, Elijah, is about 74 years of age, and his mother about 97, and too weak and decrepid to stand the fatigues of a journey out of the state, and that if said Elijah is compelled to leave, his said mother will become a charge upon the county, and will have to be maintained and provided for at the public expense; that said Elijah has, by industry and economy, accumulated a considerable amount of property, etc., etc., therefore, the premises considered, they pray the passage of an act to exempt said Elijah from the operations and requirements of an act passed by the General Assembly of the State of Arkansas, and approved February 12, 1859, entitled "an act to remove free negroes and mulattoes from the State of Arkansas."

Said petitions having been read, were on motion of Mr. Miller, referred to the committee on judiciary.

Motions and resolutions were in order.

On motion of Mr. Clark, the name of Mr. Belser, was added to the committee on judiciary.

On his further motion, the name of Mr. Ward was added to the committee on internal improvements.

Mr. Davies offered the following

RESOLUTION:

Resolved, That the Secretary of the Senate furnish, or cause to be furnished, each member of the Senate with one copy of the Senate Journal of 1858 and 1859.

Which was read and adopted.

Mr. Miller offered Senate joint resolution No. 3, to-wit:

Resolved, by the General Assembly of the State of Arkansas, That our senators be instructed, and our representatives in Congress requested, to use their influence to procure the passage of a law by Congress, for the purpose of graduating the price of the reserved lands along the line of the Little Rock and Fort Smith branch of the Cairo and Fulton railroad, to correspond with the prices of similar lands outside of the railroad grant; *Provided*, That such railroad lands be graduated so as to be double the price of the adjoining lands.

Which was read the first time, and took its course under the rules.

Mr. Clark offered the following

RESOLUTION:

Resolved, That so much of the governor's message as relates to railroads, be referred to the committee on internal improvements with instructions to report by bill or otherwise.

Which was read and adopted.

The introduction of bills was announced in order.

No. 1, Mr. Oates introduced Senate bill, to be entitled "an act to incorporate the Helena Home Insurance Company."

Read the first time.

On motion of Mr. Lemoyne, the rules were suspended, the bill read the second time, by title, and referred to the committee on judiciary.

No. 3, Mr. Miller introduced Senate bill to be entitled "an act to define the punishment of certain crimes."

Read the first time.

On motion of Mr. Clark, the rules were suspended, the bill read the second time, by title, and

On motion of Mr. Terry, it was referred to the committee on judiciary.

On motion of Mr. Terry, the Senate adjourned until 9 o'clock to-morrow morning.

THOS. FLETCHER,

President.

FRIDAY, *November 9th*, 1860.

The Senate met.

Roll called.

P R E S E N T :

Messrs. Belser, Carrigan, Clark, Davies, Douglas, Fagan, Gray, Jones, Lemoyne, McAlexander, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—23.

The Journal of yesterday was read, approved and signed.

Petitions and memorials were in order.

Mr. McAlexander presented the petition of T. J. Warner, signed by himself and numerous citizens of Lawrence county, representing that said Warner had pursued and arrested one Daniel Helterbran, a murderer, and delivered him to the sheriff of said county in the month of July, 1857, for which he had received no remuneration, and praying the General Assembly to pass an act appropriating the sum of two hundred dollars, to pay him for his trouble, expense and loss of time in arresting and delivering up said Helterbran, as aforesaid.

Said petition was read and on motion of Mr. McAlexander, referred to the committee on claims.

Mr. Gray presented the petition of thirty-eight citizens of

Jackson township, Dallas county, Arkansas, praying the passage of an act to prohibit the sale of intoxicating liquors, as a beverage, within one mile of Shady Grove Baptist Church, in said township.

Said petition was read and on motion of Mr. Gray, referred to a select committee of three.

Mr. President appointed as such committee Messrs. Gray, Mecklin and Belser.

Mr. Terry presented the petition of Henry Jacobi, binder of the Digest of 1858, representing that he had lost on his contract as such binder, and praying the General Assembly to pass an act making an appropriation for his relief.

Said petition was read, and on motion of Mr. Terry, referred to the committee on public printing.

Motions and resolutions were in order.

Mr. Clark offered Senate joint resolution No. 4, to-wit:

Resolved, That the President appoint a committee of three on the part of the Senate, to act in connection with such committee as may be appointed on the part of the House of Representatives, to investigate and report on the landed interests of the state, and that said committee have power to send for books and papers, and if necessary, to employ a clerk.

Which was read the first time and passed to the second reading under the rule.

• Mr. Pennington offered Senate joint resolution No. 5, to-wit:

Be it resolved by the General Assembly of the State of Arkansas, That our senators in Congress, be instructed, and our representatives requested, to use their best endeavors to procure such a modification of the acts of Congress regulating the price of public lands within the railroad reservations in this state, so as to allow the odd numbered sections within the six miles reservations, to be entered by actual settlers and cultivators, or for the use and benefit of an adjoining farm, at the graduated prices regulating the sales of other government lands in this state.

Which was read the first time.

On motion of Mr. Pennington the rules were twice suspended, the resolution read the second and third times, and

On motion of Mr. Lemoyne it was adopted.

On motion of Mr. McAlexander, the name of Mr. Davies was added to the committee on swamp and overflowed lands.

On motion of Mr. McColloch, the name of Mr. Rosson was added to the committee on internal improvements.

Message from the House of Representatives, by the clerk:

Mr. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have adopted the following resolution:

Resolved, That the House of Representatives, the Senate concurring, will proceed on Saturday, the 17th inst., at 10 o'clock, to the election of one chief justice of the supreme court of the State of Arkansas, and one associate justice, to fill the unexpired term of Henry M. Rector, resigned, and the Senate be respectfully requested to concur herein.

Which is herewith transmitted for the concurrence of your honorable body, which is respectfully asked.

S. M. SCOTT, *Clerk of
House of Representatives.*

On motion of Mr. Miller, Senate joint resolution No. 3, relative to the graduation of the reserved lands along the line of the Little Rock and Fort Smith railroad was taken up and read the second time.

On his further motion the rules were suspended, the resolution read the third time, and

On motion of Mr. Terry it was adopted.

On motion of Mr. Davies the names of Messrs. McAlexander and Pennington, were added to the committee on swamp and overflowed lands.

On motion of Mr. Rosson, the name of Mr. Watkins was added to the committee on counties and county lines.

On motion of Mr. Terry, the resolution of the House, proposing to go into the election of "one chief justice of the supreme court and one associate justice to fill the unexpired term of Hon. Henry M. Rector, resigned," on Saturday, the 17th inst.,

at 10 o'clock, a. m., was taken up and read, and on his further motion, concurred in by the Senate.

On motion of Mr. Clark, Senate joint resolution No. 1, to authorize the employing of two stenographic reporters for each house of the General Assembly, to report a synopsis of the debates, and proceedings, daily, for publication, in lieu of the journals, was taken up and read the second time.

Mr. Lemoyne moved to lay the resolution on the table until the 4th of July next, and called for the yeas and nays thereon, which call was sustained and ordered with the following result:

YEAS—Messrs. Fagan, Jones, Lemoyne, McCreery, Mitchell, Oates, Watkins and Mr. President—8.

NAYS—Messrs. Belser, Carrigan, Clark, Davies, Douglas, Gray, McAlexander, McColloch, Mecklin, Miller, Pennington, Rosson, Terry, Trimble and Ward—15.

So the resolution was not laid upon the table.

On motion of Mr. Clark, it was referred to the committee on judiciary.

On motion of Mr. Douglas, Senate joint resolution No. 2, to set apart Tuesday next, as a day of fasting and prayer on the part of the General Assembly, and for divine service in the representatives hall, was taken up and read the second time.

On his further motion, the rules were suspended, the resolution read the third time, and, after some discussion, was adopted.

Mr. President appointed as the committee under said resolution, on the part of the Senate, Messrs. Douglas, Jones and Lemoyne.

Mr. McAlexander offered the following

RESOLUTION:

Resolved, That the two houses, in convention assembled, go into the election of land attorney and state collector, on Monday the 12th inst., at 10 o'clock, a. m., and that the House be requested to concur herein.

Which was read and laid over for the present.

The introduction of bills was in order.

No. 3. Mr Oates introduced Senate bill, to be entitled "an

act to amend an act entitled an an act to incorporate the town of Clarendon, in the county of Monroe, which was passed at the last session of the General Assembly, and approved the 8th of February, 1859."

Read the first time.

On motion of Mr. Oates, the rules were suspended and the bill read the second time by title.

On motion of Mr. Fagan, the rules were again suspended; the bill read the third time and passed.

No. 4. Mr. Miller introduced Senate bill, to be entitled "an act for the benefit of Franklin county."

Read the first time.

On motion of Mr. Miller, the rules were suspended, the bill read the second time by title, and,

On motion of Mr. McColloch, it was referred to the committee on judiciary.

No. 5. Mr. McColloch introduced Senate bill, to be entitled "an act to consolidate the Hampton Male and Female Academies."

Read the first time.

On motion of Mr. McColloch, the rules were suspended, the bill read the second time by title; and,

On motion of Mr. Watkins, it was referred to the committee on education.

Mr. Carrigan presented the memorial of Edwin J. L. Green, signed by himself and others, citizens of Hempstead county, representing that the said Green is entitled to, and has in the hands and possession of his guardian, in Hempstead county, a considerable amount of property; that he is nearly twenty-one years of age, and has a family; that he is about to settle permanently in the state of Texas, at a remote distance from his property, and that he is desirous of obtaining possession of the same; therefore he prays the passage of an act to remove the disability of infancy under which he now labors, and to legalize the acts of himself and of his guardian, in settling up his interest in his father's estate; which memorial was read.

No. 6. Said memorial was accompanied by a bill, to be enti-

tled "an act for the relief of Edwin J. L. Green;" which was read the first time.

On motion of Mr. Carrigan, the rules were suspended, the bill read the second time by title; and,

On motion of Mr. Watkins, it was referred to the committee on judiciary.

On motion of Mr. Carrigan, the Senate took a recess until 10 minutes before 11 o'clock, a. m.

At 11 o'clock, a. m., the Senate was called to order by the President.

Message from the House of Representatives by the clerk:

MR. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have concurred in the joint resolution of the Senate, setting apart Tuesday next as a day of fasting and prayer, and for divine service in the representative hall; committee on the part of the House under said resolution consists of Messrs. Tucker, Dunnigan and Yell.

I am also instructed to inform your honorable body, that the House of Representatives are now ready to receive the Senate in their hall, for the purpose of counting the vote cast for Governor of the State of Arkansas, at the August election of 1860.

S. M. SCOTT, *Clerk of*
House of Representatives.

On motion of Mr. Davies, the Senate repaired to the hall of the House of Representatives, and being seated, the roll of the Senate was called by order of the President, when the following senators answered to their names:

Messrs. Belser, Carrigan, Clark, Davies, Fagan, Gray, Jones, McAlexander, McColloch, McCreery, Mecklin, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—20.

The roll of the House was then called, and it appearing that there was a quorum of both houses present in the convention,

the abstracts of the respective counties were opened, and the result of the election in each was proclaimed by the Speaker of the House of Representatives, as follows:

COUNTIES.	No. of votes received by Richard H. Johnson.	No. of votes received by Henry M. Rector.	No. of votes received by Thos. Hubbard.
1 *Arkansas, ...	343	469	
2 Ashley	563	411	9
3 Benton	717	914	
4 Bradley	451	750	
5 Calhoun	298	325	2
6 Carroll	730	711	
7 Chicot	316	126	
8 Clark	847	665	3
9 Columbia	830	881	
10 Conway	434	725	
11 *Craighead	139	494	
12 Crawford	626	531	
13 Crittenden	407	219	
14 Dallas	456	508	
15 Desha	265	447	
16 Drew	471	865	
17 Franklin	355	726	
18 Fulton	313	337	
19 Greene	124	827	
20 Hempstead	886	800	50
21 Hot Spring	586	348	
22 Independence	862	1,169	3
23 Izard	749	440	
24 Jackson	397	1,120	
25 Jefferson	789	918	3
26 Johnson	611	574	
27 Lafayette	505	203	53
28 Lawrence	1,019	612	3
29 Madison	342	861	
30 Marion	392	525	5
31 Mississippi	159	235	
32 Monroe	380	371	15
33 Montgomery	447	164	
34 Newton	165	401	
35 Ouachita	796	820	

* The certified abstract of the vote of Arkansas county showed that "Robt. H. Johnson" received 343 votes, and that of Craighead county showed that "Richard M. Johnson" received 139 votes; but as it is evident that an error was committed in certifying the name for which said votes were cast, they are added in the column as cast for Richard H. Johnson —*Secretary*.

36	Perry	279	....	94	....
37	Phillips	715	....	624	....
38	Pike	272	....	372	 3
39	Poinsett	28	....	448	....
40	Polk	396	....	229	....
41	Pope	692	....	494	....
42	Prairie	553	....	854	....
43	Pulaski	818	....	756	....
44	Randolph	472	....	530	....
45	Saline	602	....	572	....
46	Scott	345	....	556	....
47	Searcy	310	....	492	....
48	Sebastian	662	....	1,038	....
49	Sevier	806	....	563	 11
50	St. Francis	541	....	691	....
51	Union	744	....	482	 60
52	Van Buren	488	....	428	....
53	Washington	969	....	1,305	....
54	White	733	....	753	....
55	Yell	774	....	275	....
		28,969		32,048	220

In the county of Chicot, R. H. Slemmons received 1 vote; in the county of Crawford, Oliver Preston received 1 vote; in the county of Franklin, Johnson Campbell received 8 votes; in the county of Jackson, H. Hubbard received 1 vote; T. C. Hindman, 1 vote; and W. H. Ryals, 3 votes; in the county of Jefferson, — Walsh received 1 vote; E. W. Gantt, 1 vote; and — Thompson, 1 vote.

Whereupon, the Speaker of the House of Representatives announced that Henry M. Rector having received a majority of the votes cast, was duly and constitutionally elected Governor of the State of Arkansas, for and during the time prescribed by the constitution thereof.

The Senate then returned to their chamber.

Mr. Terry offered the following

RESOLUTION:

Resolved, That a committee of three be appointed by the President of the Senate, to act with a like committee on the part of the House, to make preparation for the inauguration of the governor elect, on the 15th inst.

Which was read and adopted.

Mr. President appointed as said committee, Messrs. Terry, Fagan and McCreery.

On motion of Mr. Fagan, the Senate adjourned, until 9½ o'clock to-morrow morning.

THOS. FLETCHER,
President.

[SATURDAY, November 10th, 1860.

The Senate met pursuant to adjournment.

[Roll called.]

P R E S E N T :

Messrs. Belser, Carrigan, Clark, Davies, Douglas, Fagan, Gray, Jones, Lemoyne, McAlexander, McColloch, McCreery, Mecklin, Miller*, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—23.

The journal of yesterday (except the vote for governor, the reading of which was dispensed with), was read, approved and signed.

Petitions and memorials were in order.

Motions and resolutions were in order.

Mr. Davies offered Senate joint resolution No. 6, to-wit:

Be it resolved by the General Assembly of the State of Arkansas, That our senators be instructed, and our members in Congress be requested to use their influence to effect the passage of a law to establish the following semi-weekly mail routes, to be conveyed by stage or coach, between the points hereinafter mentioned: From Gainesville, Arkansas, to Pocahontas, Arkansas, a distance of 40 miles; one, also, from Gainesville, Arkansas, by Oak Bluff, Chalk Bluff, Four Mile, Mo., Bloomfield and

Spring Hill, to Cape Girardeau, Mo., a distance of 130 miles; one, also, from Gainesville, Arkansas, by Wilson's ferry, on the St. Francis river, Homersville, Mo., and Mitchell's ferry, on the Mississippi river, to Dyersburg, Tennessee; one, also, from Gainesville, Arkansas, by Greensboro', Jonesboro', Harrisburg, Wittsburg, to Madison, Arkansas, a distance of 100 miles; the speedy enactment of which is earnestly solicited.

Said resolution was read the first time.

On motion of Mr. Oates, it was referred to the committee on memorials.

Mr. Watkins offered the following

RESOLUTION:

Resolved, That the two houses of the General Assembly proceed to the election of a United States Senator, on Tuesday, the 20th of November, at 11 o'clock, a. m., in the place of Hon. R. W. Johnson.

Read and adopted.

Message from the House of Representatives by the clerk:

MR. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have adopted the following joint resolution:

Resolved, That a committee of five be appointed by the Speaker of this House, to act with such committee as may be appointed by the Senate, to wait on Hon. H. M. Rector, and inform him of his election as governor of this state, and make arrangements for his inauguration, and that the Senate be requested to concur herein.

The committee, on the part of the House, consists of Messrs. Cravens, Du Val, Killgore, Boone and Kenner.

The House have also adopted a joint resolution for such a modification of the acts of Congress regulating the price of the public lands within the railroad reservations in this state, as to allow the odd numbered sections, within the six mile limits, to be entered by actual settlers and cultivators, or for the use and benefit of an adjoining farm, at the graduated prices regulating the sales of other government lands in the state.

Said two resolutions are herewith transmitted for the concurrence of your honorable body, which is respectfully asked.

The House have passed House bill No. 6, to be entitled "an act to extend the limits of the city of Fort Smith, in the State of

Arkansas;" which is herewith transmitted for the assent of your honorable body, which is respectfully asked.

S. M. SCOTT, *Clerk of*
House of Representatives.

Mr. Trimble offered the following

RESOLUTION:

Resolved, That the editors of the different newspapers within this state, and their reporters, be permitted to occupy seats within the bar of the Senate, during the present session, for the purpose of reporting such proceedings of the Senate as they may think proper.

Which was read and adopted.

Mr. Clark offered the following

RESOLUTION:

Resolved, That the President appoint a committee of one senator from each judicial circuit to rearrange the circuits.

Which was read and adopted.

Mr. President appointed, as such committee, Messrs. Clark, Oates, McColloch, McAlexander, Lemoyne and Askew.

On motion of Mr. Oates, the resolution of the House, for a joint committee to wait upon the governor elect and inform him of his election, and to make arrangements for his inauguration, was taken up, and concurred in by the Senate, and the committee, on the part of the Senate, heretofore appointed under a similar resolution, instructed to act with the House committee.

Mr. Ward offered the following

RESOLUTION:

Resolved, With the concurrence of the House of Representatives, that the two houses will, on Wednesday next, at 11 o'clock, a. m., go into the election of secretary of state.

Which was read, and, on motion of Mr. Fagan, amended by striking out "Wednesday," and inserting "Saturday."

On motion of Mr. Watkins, the resolution, as amended, was then adopted.

Mr. Pennington offered the following

RESOLUTION:

Resolved, That so much of the governor's message as relates to the geological survey of the state, be referred to a select committee of seven members of the Senate, to be appointed by the President, and to be composed of senators from different sections of the state.

Read, and, on motion of Mr. Clark, adopted.

Mr. President appointed, as such committee, Messrs. Pennington, Watkins, Mecklin, Terry, Jones, Belser and Trimble.

Mr. Trimble offered the following

RESOLUTION:

Resolved, That the standing committee on education be requested to take into consideration the propriety of remodeling our whole common school system, and so arrange and simplify the same as to make the law less difficult of comprehension, and, at the same time, more efficient and useful to the people; and that they report by bill or otherwise.

Read, and, on motion of Mr. Trimble, adopted.

The introduction of bills was in order.

No. 7. Mr. McCreery introduced Senate bill, to be entitled "an act for the promotion of the agricultural and mechanical interests of this state."

Read the first time.

On motion of Mr. McCreery, the rules were suspended, the bill read the second time by title, and, on his motion, one hundred copies of the same were ordered to be printed for the use of the Senate.

On his further motion, the bill was referred to the committee on agriculture.

Reports from standing committees were in order.

Mr. Clark, from the committee on education, made the following

REPORT:

MR. PRESIDENT—

The committee on education, to whom was referred Sen-

ate bill No. 5, to be entitled "an act to consolidate the Hampton Male and Female Academies," have had the same under consideration, and have instructed me to report the same back to the Senate, and recommend its passage.

CLARK, *Chairman*.

Which report was received, and, on motion of Mr. McCulloch, the bill read the third time and passed.

Mr. Oates, from the committee on the judiciary, made the following

REPORT:

Mr. PRESIDENT—

The judiciary committee, to whom was referred the petition of sundry citizens of Franklin county, praying the General Assembly to pass an act for the relief of a free negro, named Elijah, excepting him from the provisions of an act passed by the General Assembly of the State of Arkansas, at its last session, entitled "an act to remove free negroes and mulattos from the State of Arkansas," have had the same under consideration, and would respectfully report that, in their opinion, it would be unwise and impolitic to grant the prayer of the petitioners.

Respectfully submitted,

OATES, *Chairman*.

Which report was adopted, and the prayer of the petitioners thereby rejected.

Mr. Oates, further from the committee on the judiciary, made the following

REPORT:

Mr. PRESIDENT—

The judiciary committee, to whom was referred Senate bill No. 1, to be entitled "an act to incorporate the Helena Home Insurance company," have had the same under consideration, and have instructed me to report the same back to the Senate, and recommend its passage.

OATES, *Chairman*.

Which report was received, and the bill read for information.

On motion of Mr. Lemoyne, the first section of the bill was amended by striking out the words "shall have perpetual succession," and,

On motion of Mr. Oates, the blank in section 18 was filled by inserting "one-eighth."

On his further motion, the bill was read the third time by title and passed.

Mr. Gray, from a select committee, made the following

REPORT:

Mr. PRESIDENT—

The select committee, to whom was referred the petition of many citizens of Jackson township, in Dallas county, asking that a bill might be passed to prevent the sale of intoxicating liquors within one mile of Shady Grove Baptist church, in said township, have instructed me to report the following bill, and recommend its passage.

GRAY, *Chairman.*

No. 8. A bill to be entitled "an act for the relief of the citizens near Shady Grove church, in Dallas county, Arkansas."

SECTION 1. *Be it enacted by the General Assembly of the State of Arkansas,* That it shall not be lawful for any person to sell, barter or exchange any vinous or ardent spirits, in any quantities whatever, within one mile of the Shady Grove Baptist church, in Jackson township, Dallas county, Arkansas.

SEC. 2. *Be it further enacted,* That any person who shall violate any of the provisions of this act shall be deemed guilty of a misdemeanor, and, on conviction, shall be fined, in any sum not less than ten nor more than one hundred dollars, and every single or separate offence is hereby declared to be a violation of this act, and shall be punished accordingly.

SEC. 3. *Be it further enacted,* That this act shall take effect and be in force from and after the first day of January, 1861.

Said report was received, and the accompanying bill read the first time.

On motion of Mr. Gray, the rules were twice suspended, the bill read the second and third times by title, and passed.

Mr. McColloch, from a select committee, made the following

REPORT:

Mr. PRESIDENT—

The select committee, to whom was referred the petition of many citizens of Calhoun county, have had the same under consideration, and have instructed me to report the accompanying bill, with general provisions, (which fully answers to the prayer of the petitioners), and to recommend its passage.

McCOLLOCH, *Chairman.*

No. 9. A bill to be entitled “ an act to authorize the common school commissioners in this state to sell the sixteenth sections at private sale, in certain cases.”

SECTION 1. *Be it enacted by the General Assembly of the State of Arkansas*, That whenever it shall be made to appear to any of the common school commissioners in this state, by the petition of a majority of the white male inhabitants of any township, or fractional township, over the age of twenty-one years, supported by the affidavit of one or more respectable citizens, that any person or persons had settled upon or improved any portion of the sixteenth section in any of the townships, or fractional townships, in this state, before such lands had been sectionalized; in such cases, it shall be the duty of such common school commissioner to sell any part of such sixteenth section, so settled upon and improved, in accordance with the legal subdivisions, to such person or persons making such settlement or improvements, or to their widows or children, at private sale, at such price as may be specified in the petition aforesaid, on a credit of five years, to bear interest at the rate of eight per centum per annum, payable semi-annually in advance; *Provided*, That no sale shall be made under the provisions of this act at a less sum than two dollars an acre.

SEC. 2. All laws and parts of laws, in conflict with this act, be, and the same are hereby repealed, and this act shall be in force from and after its passage.

Said report was received, and the bill reported, was read the first time.

On motion of Mr. McColloch, the rules were twice suspended, the bill read the second and third time, by title, and passed.

On motion of Mr. Clark, Senate joint resolution No. 4, to create a joint committee on the landed interests of the state, with power to send for books and papers, and if necessary, to employ a clerk, was taken up and read the second time.

Mr. Rosson offered to amend the resolution by striking out the words, "and that said committee have power to send for books and papers, and if necessary, to employ a clerk."

Which amendment failed.

On motion of Mr. Clark, the rules were suspended, the resolution read the third time and adopted.

Thereupon Mr. President announced as the committee on the landed interests of the state, on the part of the Senate, Messrs. Clark, Terry and Craighead.

The unfinished business of yesterday was resumed.

The resolution proposing to go into the election of land attorney and state collector, on Monday the 12th inst., at 10 o'clock, a. m., was taken up and read the 2d and 3d times, and

On motion of Mr. Douglas, adopted.

On motion of Mr. Clark, House bill No. 6, to be entitled "an act to extend the limits of the city of Fort Smith, in the State of Arkansas," was taken up and read the first time.

On his further motion, the rules were twice suspended, the bill read the second and third times by title, and passed.

On motion of Mr. Lemoyne, the senate adjourned until 9½ o'clock to-morrow morning.

THOS. FLETCHER,
President.

MONDAY, *November 12th*, 1860.

The Senate met.

Roll called.

P R E S E N T :

Messrs. Belser, Carrigan, Clark, Douglas, Fagan, Gray, Jones,

Lemoyne, McAlexander, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President.—22.

Mr. Trimble asked and obtained leave of absence for Mr. Davies, for an indefinite length of time.

The journal of Saturday was read, approved and signed.

The order of business was announced.

Mr. Douglas, from a joint select committee, made the following

REPORT:

MR. PRESIDENT—

The joint committee of the Senate and House of Representatives, appointed for the purpose of requesting some minister of the gospel to address the two Houses in the Representative hall at 10 o'clock a. m., on Tuesday next, beg leave to report that they have performed the duty assigned them, in procuring the services of the Rev. Mr. McKenzie, of the city of Little Rock, whose response to their request is herewith submitted.

M. DOUGLAS, *Chairman.*

LITTLE ROCK, 10th Nov., 1860.

Messrs. DOUGLAS, TUCKER and others, joint committee of the Senate and House of Representatives:

Gentlemen—It gives me pleasure to comply with the very flattering request which you, acting as a joint committee of the two branches of our legislature, to select some minister of the gospel to address them at 10 o'clock a. m., on Tuesday next have seen fit to make of me, and I most willingly tender you my services for that occasion.

Very respectfully yours,

D. L. G. McKENZIE.

Which report was read, and on motion of Mr. Terry, adopted.

The introduction of bills was in order.

No. 10. Mr. Terry introduced Senate bill to be entitled "an

act to incorporate the Des Arc, Dardanelle and Fort Smith railroad company."

Read the first time.

On motion of Mr. Terry, the rules were twice suspended, the bill read the second and third times by title, and passed.

No. 11. Mr. McColloch introduced Senate bill to be entitled "an act to amend the laws of the State of Arkansas, distributing the proceeds of the sales of the 500,000 acres of internal improvement lands."

Read the first time.

On motion of Mr. McColloch, the rules were suspended, the bill read the second time by title, and referred to the committee on internal improvements.

Message from the House of Representatives by the clerk:

Mr. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have assented to Senate bill No. 3, to be entitled "an act to amend an act entitled an act to incorporate the town of Clarendon, in the county of Monroe," which was passed at the last session of the General Assembly, and approved the 8th of February, 1859.

Said bill is herewith returned.

The House of Representatives have concurred in Senate joint resolution No. 5, relative to graduation of railroad lands, etc.

Said resolution is herewith returned.

The House of Representatives have passed House bill No. 18, to be entitled an act to change the name of Cynthia Ann Kight, of Ashley county.

Said bill is herewith transmitted for the assent of your honorable body, which is respectfully asked.

S. M. SCOTT, *Clerk of
House of Representatives.*

No. 12. Mr. Watkins introduced Senate bill to be entitled "an act to authorize the county and probate judge of Carroll county, to cause to be transcribed the records of said county of Carroll, and to legalize the same when so transcribed."

Read the first time.

On motion of Mr. Watkins, the rules were twice suspended, the bill read the second and third times by title, and passed.

No. 13. Mr. Clark introduced Senate bill to be entitled an act to aid the construction of the different railroads in the State of Arkansas.

Read the first time.

On motion of Mr. Clark, the rules were suspended, the bill read the second time by title, and

On motion of Mr. Lemoyne, it was referred to the committee on internal improvements.

No. 14. Mr. Pennington introduced Senate bill to be entitled "an act limiting the session of the General Assembly of the State of Arkansas."

Read the first time.

On motion of Mr. Pennington, the rules were suspended and the bill read the second time by title.

Mr. McCreery moved that the bill be laid upon the table indefinitely, which motion prevailed on a division, 10 voting in the affirmative, and 8 in the negative.

Mr. Mecklin asked and obtained leave of absence for Mr. Douglas for a few days.

No. 15. Mr. Gray introduced Senate bill to be entitled "an act to amend the law of this state in relation to attachment suits in the circuit courts."

Read the first time.

On motion of Mr. Gray, the rules were suspended, the bill read the second time by title, and referred to the committee on judiciary.

No. 16. Mr. Ward introduced Senate bill to be entitled "an act for the relief of Redmond Rogers, as administrator of the estate of John E. Manley, deceased."

Read the first time.

On motion of Mr. Ward, the rules were suspended, the bill read the second time by title, and

On motion of Mr. Clark, it was referred to the committee on judiciary.

On motion of Mr. Lemoyne, the name of Mr. Jones was added to the committee on the penitentiary.

Mr. Clark, (for Mr. Oates,) from the committee on judiciary, presented the following

REPORT:

MR. PRESIDENT—

The judiciary committee to whom was referred Senate bill No. 2, to be entitled an act to define the punishment of certain crimes, have had the same under consideration, and have instructed me to report the same back to the Senate, with sundry amendments, and as amended, to recommend its passage.

OATES, *Chairman.*

Amend by striking out the 2d and 3d sections, and inserting in lieu thereof, the following, to-wit:

SEC. 2. *Be it further enacted*, That whosoever shall be convicted of stealing any slave, horse, mare, gelding, mule, jack or jennet, shall, for the first offence, be imprisoned in the jail and penitentiary house of this state, not less than ten or more than twenty-one years, and for the second offence, shall suffer death.

SEC. 3. *Be it further enacted*, That whosoever shall be convicted of furnishing any slave with any deadly weapon or poison with the intent or for the purpose of being used by such slave, as an instrument of destruction to any citizen of the United States, shall suffer death.

Which report and amendments were received, and

On motion of Mr. Lemoyne, the bill and amendments were referred to the committee of the whole, and made the special order for Wednesday next at 11 o'clock, a. m.

Mr. Fagan, from the committee on enrollment, made the following

REPORT:

MR. PRESIDENT—

The committee on enrolled bills, have examined the enrollment of an act to amend an act entitled "an act to incorporate the town of Clarendon, in the county of Monroe," which was passed at the last session of the General Assembly, and approved the 8th of February, 1859, and have instructed me to report the same correctly enrolled.

FAGAN, *Chairman.*

Read and received.

House bill No. 18, to be entitled "an act to change the name of Cynthia Ann Kight of Ashley county," was taken up by order and read the first time.

On motion of Mr. Oates, the rules were suspended, the bill read the second time by title; and

On motion of Mr. Terry, it was referred to the committee on judiciary.

On motion of Mr. Fagan, the name of Mr. Ward was added to the committee on ways and means.

On motion of Mr. Trimble, the name of Mr. McColloch was added to the committee on internal improvements.

On motion of Mr. Oates, the Senate adjourned until 9½ o'clock, Wednesday morning.

THOS. FLETCHER,

President.

WEDNESDAY, *November 14th*, 1860.

Senate met,

Roll called.

P R E S E N T :

Messrs. Belser, Carrigan, Clark, Douglas, Fagan, Gray, Jones, Lemoyne, McAlexander, McColloch, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—21.

On motion of Mr. Terry, leave of absence was granted Mr. McCreery, on account of sickness.

The journal of Monday was read, approved and signed.

Petitions and memorials were in order.

Mr. McColloch presented the memorial of two hundred and fifty-eight citizens of Franklin township, in Calhoun county, memorializing the General Assembly for the passage of an act to prevent the sale of ardent spirits and vinous liquors in any

quantity whatever, within three miles of the Hampton Male and Female Academies.

Which memorial was read; and

On motion of Mr. McColloch, it was referred to the committee on judiciary.

Motions and resolutions were in order.

Mr. Trimble offered the following

RESOLUTION:

Resolved, That three thousand copies of the accompanying documents to the governor's message, be printed for the use of the Senate, to include those already furnished.

Which was read; and after some discussion adopted, on a division—10 voting in the affirmative and 8 in the negative.

Mr. Fagan, from the committee on enrollment, made the following

REPORT:

Mr. PRESIDENT—

I have the honor to report that on Monday, the 12th inst., I handed the governor, for his approval, the enrollment of "an act to amend an act, entitled an act to incorporate the town of Clarendon, in the county of Monroe," passed at the last session of the General Assembly, and approved February 8, 1859.

FAGAN, *Chairman*

of Committee on Enrollment.

Read and received.

The following messages were received from the governor:

Mr. PRESIDENT—

I am instructed by the governor to report to the Senate of the General Assembly of the State of Arkansas, that on the 13th November, 1860, he approved and signed "An act to amend an act entitled 'an act to incorporate the town of Clarendon, in the county of Monroe,' which was passed at the last session of the General Assembly, and approved the 8th of February, 1859."

A. H. RUTHERFORD,

Private Secretary.

EXECUTIVE OFFICE,
Little Rock, Ark.,
 14th November, 1860. }

To the President of the Senate of the

General Assembly of the State of Arkansas:

For the office of chancellor, under the act entitled "An act to establish a separate court of chancery, at the seat of government; so that the causes of the state, including that against the trustees and officers of the Real Estate Bank, and those of individuals, may be determined as early as practicable," approved 15th January, 1855, I nominate Uriah M. Rose, the present incumbent of said office, and appoint him to said office of chancellor, for the term which will commence at the end of the present session of the General Assembly of the State of Arkansas; *Provided*, The Senate advise and consent thereto.

Under and by authority of "An act providing for a solicitor general for the state," approved 14th January, 1857, I nominate Samuel H. Hempstead for the office of solicitor general, and appoint him to said office for the term which will commence at the expiration of the term for which he was at the last session of the General Assembly, appointed and commissioned for two years; *Provided*, The Senate advise and consent thereto.

ELIAS N. CONWAY.

The following message was received from the House of Representatives by the clerk:

Mr. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have passed the following House bills, to-wit:

No. 11, to be entitled an act to authorize the administrator of the estate of Thomas J. Watts, deceased, to keep the administration of said estate open for more than three years, and to execute title in a certain case."

No. 20, to be entitled "an act to amend the law concerning the wearing concealed weapons."

Substitute House bill No. 21, to be entitled "an act to provide for the election of tax collector and assessor, in the counties of Poinsett and Independence."

No. 26, to be entitled "an act to perfect the organization of Craighead county, and for other purposes."

No. 31, to be entitled "an act to pay the county and probate judge of Lafayette county, and to change the time of holding said courts."

No. 36, to be entitled "an act to provide for the election of tax collector in Phillips county."

Said six bills are herewith transmitted for the assent of your honorable body, which is respectfully asked.

The House of Representatives have passed House joint resolution No. 9, relative to a four horse stage mail route from Batesville to Fayetteville, Arkansas.

Also, joint resolution No. 10, relative to a tri-weekly two-horse mail coach route from Ozark, Arkansas, to Cassville, Missouri.

Also, a resolution calling upon the auditor of public accounts for certain information touching lands assessed for taxes.

Also, a joint resolution constituting the committees of the two houses, on auditor and treasurer's books, a joint committee.

Said four resolutions are herewith transmitted for the concurrence of your honorable body, which is respectfully asked.

S. M. SCOTT, *Clerk,*
House of Reps.

On motion of Mr. Rosson, the message of the governor, informing the Senate that he had appointed Uriah M. Rose, to the office of chancellor, for the chancery court of Pulaski county, and Samuel H. Hempstead, to the office of solicitor general of the state, provided the Senate advise and consent thereto was taken up and read.

Mr. Rosson moved that the Senate advise and consent to the appointment of Uriah M. Rose, to the office of chancellor of the chancery court of Pulaski county.

Mr. Clark moved to postpone the question; which motion was lost.

The question on Mr. Rosson's motion was then stated, and the yeas and nays ordered thereon, with the following result:

YEAS—Messrs. Belser, Gray, Jones, McAlexander, McColloch, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—15.

NAYS—Messrs. Clark, Douglas, Fagan and Mecklin—4.

Messrs. Carrigan and Lemoyne asked to be and were excused from voting.

So the nomination and appointment of Uriah M. Rose, to the office of chancellor, under the act entitled "an act to establish a separate court of chancery at the seat of government, etc., approved 15th January, 1855," was advised and consented to by the Senate.

Mr. Craighead appeared and took his seat.

Mr. Rosson moved that the Senate advise and consent to the appointment of Samuel H. Hempstead, to the office of solicitor general of the State of Arkansas, and the question thereon was stated by the President, and the yeas and nays ordered with the following result:

YEAS—Messrs. Belser, Carrigan, Clark, Craighead, Douglas, Fagan, Gray, Jones, Lemoyne, McAlexander, McColloch, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—22.

NAYS—None.

So the nomination and appointment of Samuel H. Hempstead to the office of solicitor general of the state for and during the term prescribed by law was unanimously advised and consented to by the Senate.

Motions and resolutions were in order.

Mr. Gray offered the following

RESOLUTION:

Resolved, That the Senate will, on this day, at 10½ o'clock, a. m., proceed to elect a chaplain of the Senate for the present session.

Which resolution was read, when

Mr. Terry moved to lay the same upon the table until the 4th of July next, and called for the yeas and nays thereon, which call was sustained and ordered, with the following result:

YEAS—Messrs. Belser, Carrigan, Craighead, Douglas, Jones, McAlexander, McColloch, Mitchell, Oates, Pennington, Terry, Trimble and Watkins—13.

NAYS—Messrs. Clark, Fagan, Gray, Lemoyne, Mecklin, Miller, Rosson, Ward and Mr. President—9.

So the resolution was laid upon the table until the 4th of July, 1861.

Mr. Oates, from the committee on judiciary, made the following

REPORT:

MR. PRESIDENT—

The judiciary committee, to whom was referred Senate joint resolution No. 1, relative to printing the proceedings of the two houses daily, to be reported by stenographic reporters, have had the same under consideration, and have instructed me to report the same back to the Senate, and ask to be discharged from its further consideration.

OATES, *Chairman*.

Which report was received; and on motion of Mr. Watkins adopted, and the committee accordingly discharged.

Mr. Oates, further from said committee, made the following

REPORT:

MR. PRESIDENT—

The judiciary committee, to whom was referred House bill No. 18, entitled "an act to change the name of Cynthia Ann Kight, of Ashley county," have considered the same, and I am instructed to report the same back to the Senate and recommend its rejection.

OATES, *Chairman*.

Which report was received, and on motion of Mr. Rosson, adopted, and said House bill thereby rejected.

Mr. Watkins was called to the chair.

Mr. Oates again, from said committee, made the following

REPORT:

MR. PRESIDENT—

The judiciary committee, to whom was referred Senate bill No. 4, entitled "an act for the benefit of Franklin county," have had the same under consideration, and a majority of the committee have instructed me to report said bill back to the Senate and recommend its passage.

OATES, *Chairman*.

Which report was read, when

Mr. Lemoyne, from the same committee, presented the following minority

REPORT:

MR. PRESIDENT—

The judiciary committee, to whom was referred Senate

bill No. 4, entitled "an act for the benefit of Franklin county," a majority of whom, upon consideration, reported said bill recommending its passage.

The undersigned, a minority of said committee, with due deference to the opinions of the majority committee, beg leave to make this their minority report.

The bill had by the committee, under consideration, proposes to divest the common school commissioner of Franklin county, Arkansas, of the right to draw the common school fund from the depositaries of said fund, unless by special order of the county court of Franklin county. Which your committee represent, is contrary to the existing law of this state creating the office, and prescribing the duties of common school commissioners in this state.

Your committee are of opinion that the law regulating the control of said fund, fully guards said fund, and that the bond given, and oath taken by the said commissioner, is a full guarantee to the state, or any county thereof, that no commissioner will violate his duty, or betray the confidence reposed in him by the people who placed him in that important station.

LEMOYNE, *one of the
judiciary committee.*

Said report was read and received.

Mr. Lemoyne moved the adoption of his minority report; which motion failed.

Mr. Lemoyne then moved to amend the bill by striking out all after the enacting clause, and inserting the following:

"That whenever, in the opinion of the county courts of this state, there is not sufficient common school funds in the treasury at Little Rock, then the common school commissioner of such county shall not be privileged to draw said money without an order of said county court."

Which amendment was read, and after some discussion on a question to adopt the same, the bill and amendment were, on motion of Mr. Rosson, recommitted to the committee on judiciary.

Mr. Fagan, from the committee on enrollments, made the following

REPORT:

MR. PRESIDENT—

The committee on enrollments have examined Senate

joint resolution relative to graduation of the price of the public lands within the railroad reservations in this state, and have instructed me to report the same correctly enrolled.

FAGAN, *Chairman.*

Read and received.

Mr. President announced the hour for special order, Senate bill No. 2, to be entitled "an act to define the punishment of certain crimes," and the amendments thereto pending, and,

Thereupon, the Senate, on motion of Mr. Terry, resolved itself into the committee of the whole, to consider of said bill and amendments—Mr. Rosson taking the chair.

In a short time the committee arose, and through their chairman, asked leave to sit again on Monday next, at 11 o'clock, a. m.

Which report was adopted, and the leave granted.

Mr. Terry, from a select committee, made the following

REPORT:

MR. PRESIDENT—

The committee, who were appointed on the part of the Senate, to act with a similar committee on the part of the House, to wait on Hon. Henry M. Rector, and inform him of his election, to the office of Governor of Arkansas, beg leave to report that they have performed that duty, and the governor elect will attend at the time and place designated by the two houses, for the purpose of assuming the responsibilities of governor for the term to which he has been elected.

The committee report further that the order of exercises on that occasion has been agreed upon, and will be published; and further, that the inauguration will take place in the representative hall, on Thursday, 15th instant, at 11 o'clock, a. m.

TERRY, *Chairman*
on part of Senate.

Said report was read and received.

The introduction of bills was in order.

No. 17. Mr. Miller introduced Senate bill, to be entitled "an act to invest the funds arising from the sale of the swamp and overflowed lands in the Clarksville district as stock in the Little Rock and Fort Smith branch of the Cairo and Fulton railroad."

Read the first time.

On motion of Mr. Terry, the rules were suspended, the bill read the second time by title; and,

On his further motion, it was referred to the committee on swamp and overflowed lands.

House bills on their first reading were in order.

House bill No. 11, to be entitled "an act to authorize the administrator of the estate of Thomas J. Watts, deceased, to keep the administration of said estate open for more than three years, and to execute title in a certain case," was taken up and read the first time.

On motion of Mr. Clark, the rules were suspended, the bill read the second time by title, and referred to the committee on the judiciary.

On motion of Mr. Watkins, House joint resolution No. 9, to procure a four-horse mail stage route from Batesville, to Fayetteville, Arkansas, via Carrollton, was taken up and read the first time, and the second time by suspension of the rules, and

On motion of Mr. Watkins, concurred in by the Senate.

On motion of Mr. Oates, House bill No. 36, to be entitled "an act for the election of a tax collector for Phillips county," was taken up and read the first time.

On motion of Mr. Oates, the rules were suspended, the bill read the second time by title; and

On his further motion, it was referred to the committee on judiciary.

On motion of Mr. Miller, House joint resolution No. 10, to procure a tri-weekly two-horse stage coach, to carry the mail from Ozark, by way of Huntsville, Arkansas, to Cassville, Missouri, was taken up and read the first time, and the second time by suspension of the rules.

On motion of Mr. Oates, the resolution was amended by striking out the word "assembled," in the second line, and,

On motion of Mr. Douglas, the resolution was further amended by striking out the words "do all they can in getting," and substituting therefor the words "use their best endeavors to procure."

Mr. Clark moved to amend the resolution further, so as to make it read after the word "mail," from Waldron, in Scott county, via Ozark, via Huntsville, etc.

Which amendment was also adopted.

The resolution as amended was then concurred in by the Senate.

On motion of Mr. Fagan, the Senate adjourned until 9½ o'clock to-morrow morning.

THOS. FLETCHER,
President.

THURSDAY, *November 15th*, 1860.

The Senate met.

Roll called.

P R E S E N T :

Messrs. Belser, Carrigan, Clark, Craighead, Fagan, Gray, Lemoyne, McAlexander, McColloch, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—20.

The journal of yesterday was read, approved and signed.

Message from the House of Representatives by the clerk:

MR. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have passed House bill No. 4, to be entitled "an act granting pre-emptions upon the swamp and overflowed lands of this state."

Said bill is herewith transmitted for the assent of your honorable body, which is respectfully asked.

S. M. SCOTT, *Clerk of*
House of Representatives.

Mr. Terry tendered to the Senate his resignation as chairman of the committee on the penitentiary, and nominated Mr. Lemoyne for that position.

On motion of Mr. Oates, the resignation was received, and Mr. Lemoyne appointed chairman of said committee.

Mr. Terry presented the following letter:

LITTLE ROCK, Nov. 12th, 1860.

DEAR SIR—I am informed that on to-day I was nominated for and confirmed by the Senate to the office of solicitor general of Arkansas.

I fully appreciate the personal kindness of the act towards myself, and especially desire through you to express to the Senate, my grateful acknowledgments for their confidence manifested in me by confirming the nomination.

It is, however, due to me to declare that the nomination was made without my knowledge or consent, and to say also that it has not been my expectation to continue in that office longer than the present term, which will soon expire. And moreover, as the solicitor general is the law officer of the government and of the executive department, it would seem to me appropriate that the incoming executive, (Hon. Henry M. Rector,) should have an opportunity of filling it with an individual of his own selection and choice; and apart from any other consideration, this alone would be sufficient to induce me to afford the opportunity of doing so at such time as might seem suitable to him.

Without indicating any particular mode of proceeding, I suppose the vote on the nomination could be reconsidered, and the nomination laid on the table, which would then give the new executive the privilege of making a nomination for the consideration of the Senate, at such time as might suit his convenience.

Very respectfully,

your obedient servant,

S. H. HEMPSTEAD.

Hon. F. A. TERRY, Little Rock.

Thereupon, on motion of Mr. Terry, the vote of yesterday advising and consenting to the appointment of Samuel H. Hempstead to the office of solicitor general of the State of Arkansas, was reconsidered, and

On motion of Mr. Lemoyne, said appointment was laid upon the table until the fourth of July next.

Mr. Terry moved to reconsider the vote of yesterday referring Senate bill No. 17, to be entitled "an act to invest the funds arising from the sale of the swamp and overflowed lands in the Clarksville district, as stock in the Little Rock and Fort Smith branch of the Cairo and Fulton railroad," to the committee on swamp and overflowed lands.

Mr. Craighead opposed said motion, and at the conclusion of his remarks, the Senate, on motion of Mr. Terry, took a recess until ten minutes before 11 o'clock, a. m.

At ten minutes before 11 o'clock, the Senate was called to order.

Message from the House of Representatives by the clerk:

MR. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives are now ready to receive your honorable body in their hall for the purpose of inaugurating Hon. Henry M. Rector, governor elect of the State of Arkansas.

S. M. SCOTT, *Clerk of
House of Representatives.*

On motion of Mr. Oates, the Senate repaired to the hall of the House of Representatives, and being there seated, the roll of the Senate was called, when the following senators answered to their names:

Messrs. Belser, Carrigan, Clark, Craighead, Gray, Lemoyne, McColloch, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Trimble, Ward, Watkins and Mr. President—17.

The President then announced that the object of the convention of the two houses, was to witness the oath of office to be taken by the governor elect.

Thereupon, Hon. Henry M. Rector appeared within the bar of the House, conducted by the committee of arrangements, and in the presence of the two Houses, the oath of office was admin-

istered to him by Hon. F. W. Compton, one of the judges of the supreme court of Arkansas.

His excellency was then conducted to the speaker's stand, and delivered to the convention the following

INAUGURAL ADDRESS.

Gentlemen of the Senate and House of Representatives:

Having been chosen by the free and patriotic people of the State of Arkansas, as their chief magistrate for the ensuing four years, it becomes my constitutional duty to confer with you, and recommend for your consideration, such measures of public policy as may seem expedient, and promotive of the general welfare of the country.

With an expansive territory, comprehending in its area every requisite element of greatness, Arkansas, by a proper administration of her affairs, may, and will attain pre-eminence amongst her sisters of the confederacy.

The rapid influx of population among us materially increasing our revenue, enhancing our federal influence, and giving strength and importance to us as a people, is cause for high congratulation to all, whose destinies are with us—whose hearts are among us.

With a redundant treasury, and a state debt of comparative insignificance, Arkansas is in a condition for rapid improvement and unexampled future prosperity.

Much depends, however, upon the existence of harmonious concord in her legislative departments, of which you and I are both constituent elements. And the measure of our duty is the prosperity and happiness of the people.

Among others, it is an excellency in laws that they be permanent, and of uniform application: too much legislation often begets greater evil than too little; and slight inconveniences flowing from a familiar, though imperfect statute, is more tolerable to the citizen than a new one, perhaps less perfect and difficult of construction.

Special legislation, or that having exclusive application to particular counties, is a growing evil, tending to destroy that uniformity of system which the framers of the constitution intended we should preserve.

The improvident creation of two banks, however, at an early period in our history, has, to some extent, embarrassed the finances of the state.

There is due by the State of Arkansas, on account of bonds

issued to the State Bank, \$1,250,000, deducting probable assets on hand and to be realized.

The interest on this debt, constituting about one-half of it, has been due and unpaid since 1840, excepting the amount of \$7,615 68-100, retained by the United States, up to October, 1858, of the *five per cent.* fund due the State of Arkansas, on account of the sales of the public lands. The principal falls due in 1868 and 1887—twenty-five of the bonds only are payable in the latter year however.

For this debt the state has had value received. The bank was her property, and if an unsuccessful experiment, she alone must bear the loss. Her honor and credit require, I submit, that provision be made at an early period, for the liquidation and payment of the back interest due on this debt.

The surplus revenue in the treasury at this date, approximates to \$304,000; and I suggest, for your consideration, whether it would not be proper to apply \$250,000 of this, on the 1st of July, 1861, towards the payment of said unpaid interest.

Following which, taking into account the rapid increase of state revenue, induced by increased wealth and population, I recommend that the state tax be reduced from *one-sixth* to *one-eighth* of one per cent. At this rate, sufficient revenue would still be collected to meet the ordinary expenses of the government, and pay up accruing interest on the State Bank debt as it falls due.

If however, considering the great importance to the state, of erecting well considered works of internal improvement, and the eminent want of educational advantages among the most deserving of our population, you should regard it the better policy to apply the surplus revenue to these objects, upon principles of justice to each and every portion of the state, I will yield a hearty assent to the measure.

The constitution inhibits the collection of any more revenue than is necessary for the expense of the government, except by a two-third vote of the General Assembly. To perpetuate an excess in the treasury, is an infraction of that instrument, and is oppressive to the people.

The large cash payments made by our citizens in purchasing their lands, (mostly federal domain,) proves an immense absorbant of our circulating medium, and creates a scarcity of money, which it is needless to increase by applying another drain, though it be in the shape of a surplus state revenue.

REAL ESTATE BANK.

The debt for which the state is liable on account of bonds issued to this institution, is still the cause of much solicitude to the state, the stockholder and the tax payer.

After applying the assets on hand to the payment of these bonds, there still remains unpaid \$1,400,000.

The debt is due, principal and interest, on the 26th of October, 1861.

To hold the state harmless in the payment of these bonds, the stockholders have mortgaged to the state and bondholders, 187,310 acres of valuable land. Besides this, each stockholder has given a bond to the bank, in double the amount of his stock, which rests as a demand or liability against him, or his estate, if he be deceased.

Although there are many legal questions of infinite complexity, which would present themselves in an attempt made by the state to coerce payment from the stockholders by judicial proceedings, still, I hold it to be conclusive, that suit may be instituted upon the bond given by the stockholder to the bank, and the deficit collected by execution, out of his personal effects. The mortgage upon the land is merely *collateral*, and need not be resorted to except in cases of insolvency.

By this course of procedure, a large proportion of the means, necessary for the payment of the bonds, can be realized, and the state speedily reimbursed for the amount retained by the United States on account of the 5 per cent. fund due from the sales of the public lands. In case, however, the personal estate is found to be inadequate, resort must be had to the mortgaged lands for payment.

It is needless, however, to disguise the fact, that a proceeding in chancery, for the foreclosure of these mortgages, would be attended with great expense and delay.

Chancery suits are tardy, at best; and when the record is clogged by the names of hundreds of parties, as one of this character would be, its termination must be almost indefinitely postponed. In the meantime, the state would remain discredited abroad—suffering moral opprobrium and financial embarrassment.

I beg leave to suggest a plan for the settlement of the Real Estate Bank trouble, which, in my opinion, will conduce both to the public interest, and to the convenience of the stockholders. It is this: That an act be passed, during the present session, requiring the Pulaski chancery court to ascertain, through the receiver, the amount for which the state will be liable, deducting therefrom the proportional amount to be paid by each stockholder, and providing that said receiver be authorized and directed, on the part of the state, to receive from each stockholder one-fourth down in cash of his indebtedness or deficit—giving bonds, with security, at *one, two and three* years, for the remainder, which, when paid, to entitle the party to a release upon the bond and mortgage.

This will afford means for an amicable adjustment, between

the state and the stockholder, saving expensive and protracted litigation to both.

There are doubtless many now interested in the mortgaged lands, by purchase and otherwise, who will reject all terms, but, in a majority of cases, I feel confident, a law of this kind would be cheerfully complied with, and prove a happy solution of this bank enigma.

SWAMP LANDS.

Prompted by motives of benevolence and generosity, the Congress of the United States, September 1850, granted to the State of Arkansas, all the swamp and overflowed lands within her borders.

It is seriously questioned by many who are well informed upon the subject, whether or not the most approved system of leveeing, will result in much practical benefit. And with this view of the case, a manifest tendency exists, to divert the funds arising from the sale of these lands to the building of railroads.

Whether complete reclamation can be attained or not, partial success in so important an enterprise, is sufficient to deter me from recommending an appropriation of this fund, to any but to its original and legitimate purposes.

The building of railroads with us has, thus far, been quite as much a matter of disappointment, as the construction of levees.

Independent of this, a breach of faith will be committed by the State of Arkansas, if she expends these lands for any thing but their reclamation.

And this breach will be two fold in its character: First, to the general government which gave them—second, to our own citizens who have settled upon and purchased them.

To the latter, the state is bound, by the strongest obligations, to expend the last acre of the land for their protection from floods and drainage from swamps.

This grant, made by Congress, was a health gift to the citizens inhabiting the Mississippi valley. A great sanitary result was to be achieved, and the states having swamp lands within their borders, were made the trustees to carry out the object and perfect the system.

STATE PRISON.

The General Assembly, at its last session, authorized my predecessor to lease out the penitentiary to the highest bidder.

No bids, as I understand, were submitted. But an arrangement was made with Messrs. George & Robins, to subsist the inmates at the rate of *thirty-five* cents each, per day, which contract is still subsisting at an expense to the state of \$43 75-100 per diem.

Your immediate interposition is requested to arrest this unnecessary efflux from the treasury.

The institution in its present condition is fully capable of defraying its own expenses, and has been for years past.

The convicts, one hundred and twenty-five in number, are generally in a healthy condition, and many of them are skillful mechanics, and the products of their labor command high remunerative prices.

In the future management of the penitentiary, some permanent and settled policy is indispensable to make it a self-sustaining institution.

The contracts for keeping it have been heretofore only temporary and of too short duration. It is, therefore, recommended, that the lettings in future, be for four or six years, thereby making it an object to men of adequate means and qualifications to engage in its keeping and management.

Many of the states, after much experimental knowledge, have settled upon the plan of manufacturing woolen and cotton goods, as the most suitable employment for their convict labor. This sort of work is conducive to the health and contentment of the convict, profitable in its results, and eminently susceptible of the most perfect system and order.

With us, the raw material at prime cost can be obtained, and a home market without competition.

The states of Louisiana, Tennessee and Texas, are examples in prison manufactures.

From the penitentiary reports of the latter state, it is ascertained that the machinery, necessary for turning off two thousand yards of cloth daily, can be put up in complete running order for \$35,000.

Other considerations may be weighed in making the proposed change. The mechanical skill employed in the penitentiary, competes with, and, in many cases, supplants the citizen mechanic, and drives him from the country, or into some other vocation for a livelihood. He deserves better of his country, and is as much entitled to immunity and protection as those skilled in law or physic.

The desired change, however, keeping in view the public debt, and the exigencies that may follow the inauguration of a federal executive hostile to the rights and independence of this portion of the republic, must needs be, if at all, gradual, and attended with as slight expense as possible.

The penitentiary buildings have already been twice fired and burned down by the convicts. As a preventative, it is recommended that an act be passed, declaring the offence capital, punishable with death, and making the inmates competent witnesses. Such a law would seem to savor of harshness, but it

has been found to be the only adequate remedy in such cases. Other states have adopted it with fine practical effect.

I take pleasure in recommending Mr. A. J. Ward, the present keeper, as a gentlemen well qualified for his station, and deserving your confidence.

RAILROADS.

Nothing is more important to Arkansas than the construction of railroads. They would advance commerce, induce population, develop our mineral and agricultural resources, and awaken the latent energies of the people.

But how are the means to be obtained to build them? The lands granted by the United States for the Cairo and Fulton, and Fort Smith branch, are likely to revert to the general government. Nothing of importance has been accomplished on either of these roads, and from the stringency of the money market abroad, little hope is indulged for the future.

The grant made by Congress has, so far, proved rather a curse than a blessing. For seven years past, nearly one half of our territory has, on that account, been reserved from sale and settlement—the consequence is, no roads, less revenue, and a smaller population, than we should have had.

Having nothing better to suggest at present, in this connection, it is recommended that a committee be raised to investigate and report upon the management of the Cairo and Fulton road and its western branch, to ascertain what moneys have been expended, what lands sold, and under what authority, what debts are owing, and the cause of the non-completion of the roads; and also whether an extension of time should be granted by Congress, and, if so, on what conditions.

The Memphis branch, it affords me pleasure to say, has been managed with more success, and gives great promise of early completion.

SCHOOLS.

This subject, also, is one of great interest. Nothing enlists the philanthropist and patriot more than the cause of education. The time and labor of the educated citizen is more valuable to himself and to his government, than the benighted toils of one living in uncultivated ignorance.

On the rising generation, bred and educated at home, we must rely, in future, for the defence and maintenance of southern institutions.

For the want of proper home schools, the youth of Arkansas are being educated abroad; often so far north as to loosen the ties that bind them to the institutions of their native land. Early education gives the impress to manhood; and though northern

hostility, displayed by the northern tutor to the southern pupil, will not eradicate his attachment for the peculiar institutions of his fathers, yet that hostility is made more tolerable by positive contact and continued association.

Again, thousands of dollars are annually exported to other states, for educational purposes; and, in this way, we are greatly the sufferers, because we are without colleges, male and female, suitable for imparting a knowledge of the higher branches.

Congress, in this behalf, also, once came to our relief, and donated seventy-two sections of land for a seminary of learning. The common malady of distribution, however, overtook that grant, and but little has been heard of it since.

Is it not possible, still, to apply this fund to its original purpose, by dividing the state into two educational districts, and erecting a college in each, with the money still unappropriated by the counties? Your attention is respectfully invited to this subject.

The common school system, also, seems to be radically defective.

In the last report made by the secretary of state, as state commissioner of common schools, it may be seen that there are only twenty-five common schools organized and kept up in the whole state, from the common school fund. This is a sad commentary upon the present system.

Under existing laws, it is made the duty of the common school commissioners of the different counties (fifty-five in number) to make out and transmit to the secretary of state, annually, a report showing the condition of the common schools and school funds, in their counties, respectively.

It is lamentably true, however, that out of this number, only three of them have reported at all, for the present year; two of which reports are totally devoid of the required information.

The general law provides for three trustees and one treasurer in each congressional township. Each county containing thirty-five townships, would have, including the commissioner, *one hundred and forty-one* officers. Multiplying this by the number of counties, and you have in the state, seven thousand, seven hundred and fifty-five men to perform what ten would do better. Their compensation is merely nominal, and of course their duties are neglected.

There is a special law, having application exclusively to the counties of Pulaski, Izard, and others therein enumerated, which I think superior to that having general application; and which it would be well, perhaps, to adopt for the whole state, with the following amendments:

First. The minimum price of \$1 25 is too low, from which to graduate the sixteenth section, as this act provides.

Second. The accumulated interest remaining unappropriated in the hands of the county treasurer, ought, while in his possession, to bear interest at *ten per cent.* per annum.

Third. Discrimination ought to be made in distributing the school fund of the county, in favor of the poorer districts, since from the great value of the sixteenth section, in others, a sufficient fund is derived therefrom to maintain the schools necessary therein.

Fourth. The clerk of the county court should report annually to the secretary of state—he being *ex-officio* state commissioner—and the information by him communicated through the governor to the General Assembly.

With these amendments, I am persuaded this special law would prove to be as good a common school system, as can at present be devised.

AGRICULTURE.

The constitution provides that “the General Assembly shall from time to time, pass such laws as shall be calculated to encourage intellectual, scientific, and agricultural improvement, by allowing rewards and immunities” for the promotion of the same.

It is thought that an agricultural bureau, commensurate with these ends, would tend greatly to develop and advance our farming interests. Its establishment is earnestly recommended, the details of which I submit to your enlightened judgment to devise.

MILITIA.

I invite your most rigid scrutiny of the militia code, which, having until recently been a dead letter upon the statute book, practical enforcement has not, thus far, to my mind, displayed a necessity for amendatory statutes. Should any suggest themselves to you, as important to the immediate and thorough organization of the militia, it is well, perhaps that they should be passed at an early period in the session. For life and liberty may soon, in each slaveholding state, find protection only behind the breastworks of the citizen soldiery.

It would be scarcely prudence, but more of cowardice in me, to disguise from you, and from our common constituency, what my convictions and sentiments are, touching the present threatening and perilous condition of our common country.

A most unprovoked and diabolical warfare, marked by ingratitude, malice and ignorance, is now being waged by the people of the non-slaveholding states, against the peace, dignity, and independence of all those recognizing that institution. The “irrepressible conflict” is, and still will be going on.

The fanaticism of the North has well nigh reached its cul-

minating point; and the states stand tremblingly upon the verge of dissolution. Its march has been steady and onward, and its foot-prints marked by blood and treason; and it seems as unalterable as destiny, that sooner or later dissolution must come.

The issue made up by the North, and which we of the South will not be permitted to decline, is, the Union without slavery, or slavery without the Union.

What portion of the confederacy will be so infatuated as not to prepare for the coming of this sad event? What magistrate of the law will lull his people into fancied security, by promises of peace and safety, when an enemy is at their door?

God forbid that I am, or should be an alarmist; that I should be insensible of the wide-spread desolation that would fix itself like a pall, upon the American people, should disruption ensue. But I am not, nor will I content myself with anything less than a faithful exposition of my views upon this subject.

Eleven of the northern states, by solemn legislative enactment, have nullified, revoked and trampled upon the federal constitution. Maine, Connecticut, New York, Rhode Island, New Hampshire, Pennsylvania, New Jersey, Wisconsin, Massachusetts, Michigan and Vermont, have prohibited their officials and citizens, from aiding in the execution of the "fugitive slave law." By their action, the federal compact has been broken! *They have revolutionized* the government, and have left every other state absolved from its federal allegiance, and free, as an independent and sovereign government, to seek its own destiny.

But the question is asked, whether or not these offences, coupled with the election of a chief executive, avowedly hostile to an extension of slavery, is cause, justifying, as a matter of policy, immediate secession.

To my mind, no farther *legal* justification is necessary. Still, if the Union was severed to-day, leaving the slave states standing as they originally stood, sovereign and independent governments, reconciliation and compromise might, nevertheless, be induced by moderation, and a free interchange of sentiment evolved by authority through conventions assembled by the northern and southern portions of the Union, respectively.

In view, then, of the bare possibility that the North may still be induced to retrace her steps, and award to the southern states the rights guaranteed to them by the constitution, I cannot council precipitate or hasty action, having for its object a final separation of the states, and breaking up of the Union.

Should any one of the southern states, however, prompted by a spirit of just resentment towards the North, deem it necessary to declare her independence, and assert a separate nationality Arkansas, having like grievances and a common purpose to subserve, ought not to withhold her sympathies and active sup

port, if coercive measures be adopted by the general government.

Under such an exigency, I should regard it as an imperative duty to convene the General Assembly, that the matter might be referred to the people for their primary action and advice.

HENRY M. RECTOR.

Little Rock, *November 15th*, 1860.

The inauguration of the governor elect, having thus been completed, Mr. President announced that the object of the convention was accomplished, and the Senate returned to their chamber.

On motion of Mr. Carrigan, the Senate adjourned until 9½ o'clock to-morrow morning.

THOS. FLETCHER,

President.

FRIDAY, *November 16th*, 1860.

The Senate met.

Roll called.

P R E S E N T :

Messrs. Belser, Carrigan, Clark, Craighead, Fagan, Gray, Jones, Lemoyne, McColloch, Mecklin, Miller, Mitchell, Oates, Pennington, Terry, Trimble, Ward, Watkins and Mr. President—19.

The journal of yesterday, except the inaugural address of the governor (the reading of which was, on motion of Mr. Watkins, dispensed with) was read, approved and signed.

Motions and resolutions were in order.

Mr. Carrigan offered the following

RESOLUTION:

Resolved, By the Senate, the House concurring, that on Monday next, the 19th of November, at 10 o'clock, a. m., the two

houses will meet in convention, to go into the election of land attorney and state collector.

Which resolution was read; and on motion of Mr. Terry, the rule was suspended, the resolution read the second time and adopted.

Mr. Oates was called to the chair.

On motion of Mr. Watkins, leave of absence was granted Mr. Rosson, on account of sickness.

On motion of Mr. Trimble, further leave of absence was granted Mr. Douglas, on account of sickness of his son.

Mr. President *pro tem.* announced the motion to reconsider the vote referring Senate bill No. 17, to the committee on swamp and overflowed lands to be still pending.

Whereupon, Mr. Terry withdrew said motion.

Mr. President Fletcher (Mr. Oates in the chair,) offered the following resolution, proposing amendments to the constitution, to-wit:

Resolved by the General Assembly of the State of Arkansas,
That the following amendments be proposed to the constitution of this state, to-wit:

1st. That the qualified voters of this state shall elect a secretary of state, who shall hold his office for two years, and until his successor is elected and qualified.

2d. That the qualified voters of this state shall elect an auditor for the state.

3d. That the qualified voters of this state shall elect a treasurer for the state.

4th. That the last clause of section 13, article 6, title judicial department, be repealed, and the following substituted in its place, to-wit:

There shall be elected by the qualified voters of this state, an attorney general for the state, who shall hold his office for the term of two years, and until his successor in office is duly elected and qualified; he shall be the chief law officer of the state, and have his office at the seat of government, and shall perform such duties as may be required of him by law.

Said proposed amendments were read the first time and passed to the second reading on another day, as required by the constitution.

Reports from standing committees were in order.

Mr. Watkins, from the committee on judiciary, made the following

REPORT:

MR. PRESIDENT—

The judiciary committee, to whom was referred Senate bill No. 6, for the relief of Edwin J. L. Green, have duly considered the same, and a majority of them have instructed me to report the same back to the Senate and recommend its passage.

WATKINS,

one of the Judiciary Committee.

Which report was received; and

On motion of Mr. Carrigan the bill was read the third time and passed.

The introduction of bills was in order.

No 18. Mr. Terry introduced Senate bill, to be entitled "Road law for Pulaski county."

Read the first time.

On motion of Mr. Terry, the rules were suspended, the bill read the second time, by title, and referred to the committee on county and county lines.

No. 19, Mr. McColloch introduced Senate bill to be entitled "an act to amend chapter 111, page 765, of the Digest of this state."

Read the first time.

On motion of Mr. McColloch, the rules were suspended, the bill read the second time, by title, and referred to the committee on judiciary.

Mr. Fagan offered Senate joint resolution (No. 7) to-wit:

Resolved, by the General Assembly of the State of Arkansas, That our senators in Congress be instructed, and our representatives requested, to use their best exertions to have the mail service on the post route from Benton, in Saline county, to Mt. Ida, in Montgomery county, increased from a weekly horse mail to two horse post coaches, to be run weekly.

Read the first time.

On motion of Mr. Clark the rules were suspended, the resolution read the second time, and

On motion of Mr. Fagan, it was adopted.

No. 20, Mr. Trimble introduced Senate bill, to be entitled "an act to repeal the *minimum* tax on land, and establish the *ad valorem* principle."

Read the first time.

On motion of Mr. Trimble, the rules were suspended, the bill read the second time, by title; and

On his further motion it was referred to the committee on judiciary.

Mr. Watkins moved to reconsider the vote referring the bill; which motion prevailed, and

Thereupon, Mr. Trimble waived his motion, at the request of Mr. Ward, who offered the following amendments to the bill:

Amend by adding the following sections—

SEC. —. *Be it further enacted*, That hereafter it shall be the duty of each and every tax payer in this state, to furnish the assessor of his county, at the time and place advertised by said assessor to receive the same, a written schedule of all his lands, describing the same by section, township and range, and a list of slaves, and all other property, with such a description of each as will enable the assessor, when it is inconvenient for him to see said property, to estimate its true value.

SEC. —. *Be it further enacted*, That it shall be the duty of the assessor to value the same at its true cash value, taking into consideration all local advantages, and other things effecting the price of lands, slaves and other property.

SEC. —. *Be it further enacted*. That if any person shall feel himself aggrieved, or injured by the valuation fixed by such assessor, it shall be the duty of such assessor, at the request of such person, to call upon two residents of the neighborhood, or township, to value such real or personal estate, and said residents shall be sworn by the assessor, well, truly and impartially to value said property at its true cash valuation, and should they fail to agree, said assessor may determine between them, which valuation, when so made, shall be final, and fix the valuation of said property.

SEC. —. *Be it further enacted*, That hereafter, no person shall be sworn or required to testify in regard to the value of his property, when assessed for taxation, but should any person furnish the assessor with a fraudulent list of his property, he shall be deemed guilty of a misdemeanor, and upon conviction thereof, upon indictment by the grand jury of his county, shall

be fined in any sum not less than ten dollars, and not more than fifty dollars.

SEC. —. *Be it further enacted*, That it shall be the duty of the several judges of the circuit courts in this state, to give the preceding section specially in charge to the grand juries:

Which amendments were read, and

On motion of Mr. McColloch, adopted.

On motion of Mr. Trimble, the bill as amended was referred to the committee on judiciary.

House bills on the first reading were in order.

House bill No. 4, to be entitled "an act to grant pre-emp-tions upon the swamp lands in this state," was taken up and read the first time.

On motion of Mr. Pennington, the rules were suspended, the bill read the second time by title, and,

On motion of Mr. President, referred to the committee on swamp and overflowed lands.

House bill No. 20, to be entitled "an act to amend the law concerning the wearing of concealed weapons," was taken up and read the first time.

On motion of Mr. McColloch, the rules were suspended, the bill read the second time by title; and,

On motion of Mr. Pennington, referred to the committee on judiciary.

House bill No. 21, to be entitled "an act to provide for the election of tax assessor and collector in the counties of Poinsett and Independence," was taken up and read the first time.

On motion of Mr. Pennington, the rules were suspended and the bill read the second time by title.

Mr. Terry offered to amend by adding Pulaski county to the provisions of the bill, with the proviso, that in said county of Pulaski, the assessor and collector shall, for all services in assessing and collecting the taxes, be paid out of said taxes the sum of fifteen hundred dollars *per annum*, and no more.

Which amendment was adopted.

On motion of Mr. Carrigan, the bill as amended was referred to the committee on judiciary.

House bill No 26, to be entitled "an act to perfect the organization of the county of Craighead, and for other purposes," was taken up and read the first time.

On motion of Mr. Jones, the rules were twice suspended, the bill read the second and third times by title and passed.

House bill No. 31, to be entitled "an act to pay the judge of the probate and county courts of Lafayette county, and to change the times of holding said courts," was taken up and read the first time.

On motion of Mr. Carrigan, the rules were suspended, the bill read the second time by title; and,

On his further motion, referred to the committee on judiciary.

House joint resolutions on the first reading were next in order.

House resolution proposing to make the committees on auditor's and treasurer's books of the two houses a joint committee, was taken up, read and concurred in by the Senate.

House resolution, calling upon the auditor for information in regard to the number of acres, and average value thereof, at which lands were assessed for taxation in each of the counties of this state, for the year 1860, was taken up and read; and

On motion of Mr. Terry, the Senate refused to concur therein.

Senate joint resolution No. 1, relative to printing the proceedings of the two houses, daily, to be reported by two stenographic reporters, to be appointed for each house, was taken up and read.

Mr. Terry moved to amend the resolution by striking out the word "two," indicating the number of reporters for each house, and inserting the word "one" in lieu thereof.

Mr. Watkins moved to lay the resolution and amendment upon the table till the 4th of July next, but after some debate, withdrew his motion; and,

Thereupon, on motion of Mr. Craighead, the resolution, with the proposed amendment, was recommitted to the committee on judiciary.

Mr. President resumed the chair.

On motion of Mr. Pennington, the Senate adjourned until 9½ o'clock to-morrow morning.

THOS. FLETCHER,

President.

SATURDAY, November 17th, 1860.

Senate met.

Roll called.

P R E S E N T :

Messrs. Belser, Carrigan, Clark, Craighead, Douglas, Fagan, Gray, Jones, Lemoyne, McAlexander, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Terry, Trimble, Ward, Watkins and Mr. President—22.

The journal of yesterday was read, approved and signed.

Petitions from counties were in order.

Mr. Mitchell presented the petition of two hundred and two citizens of Searcy county, praying the General Assembly to repeal the law declaring the Buffalo Fork of White river a navigable stream; which was read, and

On motion of Mr. Watkins, referred to the committee on internal improvements.

Mr. Fagan presented certain papers relative to a change of the line between Saline and Hot Spring counties; which were, on his motion, referred to the committee on counties and county lines.

Motions and resolutions were in order.

Mr. Trimble offered Senate joint resolution No. 8, to-wit:

Resolved by the Senate, the House of Representatives concurring,
That two thousand copies of the journal of the convention which framed the state constitution of Arkansas, in 1836, be printed in pamphlet form, for the use of the state; and that the

secretary of state be required to furnish a copy of said journal to the public printer for publication, and that ——— dollars be, and the same is hereby appropriated out of any money in the treasury, not otherwise appropriated, to pay for the same.

Said resolution was read the first time, and passed to the second reading under the rules.

Mr. Gray offered the following

RESOLUTION:

Resolved, That 5,000 copies of the inaugural address of Governor Rector be printed for the use of the Senate.

On motion of Mr. Carrigan, said resolution was amended by striking out "5,000," and inserting "3,000" in lieu thereof.

On his further motion, the resolution, as amended, was adopted.

Message from the House of Representatives, by the clerk:

MR. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have amended Senate resolution to go into the election of secretary of state on Saturday next, 17th inst., and concurred therein, as amended. Said resolution, with the amendment, is herewith returned for the assent of your honorable body, which is respectfully asked.

The House of Representatives have passed a resolution, proposing that the two houses will, with the concurrence of the Senate go into the election for land attorney and state collector, and state land agents, on Tuesday next, the 20th instant.

Said resolution is herewith transmitted for the assent of your honorable body, which is respectfully asked.

The House of Representatives have passed House bill No. 27, to be entitled "an act to extend the boundaries of the city of Little Rock."

Also, House bill No. —, to be entitled "an act to repeal an act passed at the last session of the General Assembly, entitled an act for the benefit of the Princeton Male and Female Academies."

Said two bills are herewith transmitted for the assent of your honorable body, which is respectfully asked.

The House of Representatives have adopted House joint resolution No. 7, relative to a mail route from St. Charles, in Arkansas county, to Brownsville, in Prairie county.

Also, House joint resolution No. 13, relative to a mail route from Batesville to Fayetteville, Arkansas.

Said two resolutions are herewith transmitted for the concurrence of your honorable body, which is respectfully asked.

S. M. SCOTT, *Clerk of*
House of Representatives.

On motion of Mr. McColloch, House resolution to go into the election of land attorney and state collector and state land agents, on Tuesday, the 20th inst., at 11 o'clock, a. m., was taken up and read.

Mr. McColloch moved to concur in said resolution; which motion prevailed, on a division—11 voting in the affirmative and 8 in the negative.

On motion of Mr. Oates, the amendment of the House to Senate resolution, to go into the election of secretary of state, which amendment proposed to go into the election, at the same time, of auditor and state treasurer, was taken up and the Senate refused to concur therein.

The introduction of bills was in order.

No. 21. Mr. Watkins introduced Senate bill, to be entitled "an act to incorporate the Arkansas Institution for the deaf and dumb."

Read the first time.

On motion of Mr. Watkins, the rules were suspended, the bill read the second time, by title; and

On his further motion, it was referred to the committee on education.

On motion of Mr. Trimble, the proposed amendments to the constitution, to provide for the election of auditor, secretary of state, state treasurer, and an attorney general for the state, by the qualified voters thereof, was taken up and read the second time; and

On motion of Mr. Craighead, referred to the committee on judiciary.

Message from the House of Representatives, by the clerk:

Mr. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have receded from their amendment to Senate resolution, to go into the election of secretary

of state on the 17th inst., (this day,) at 11 o'clock, a. m., and have concurred in said Senate resolution; which is herewith returned.

S. M. SCOTT, *Clerk of
House of Representatives.*

On motion of Mr. Oates, the Senate took a recess for ten minutes.

At 10 o'clock the Senate was called to order by the President.

Message from the House of Representatives by the clerk:

Mr. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives are now ready to receive the Senate in their hall for the purpose of going into the election of chief justice and associate justice of the supreme court and secretary of state.

S. M. SCOTT, *Clerk of
House of Representatives.*

On motion of Mr. Terry, the Senate repaired to the hall of the House of Representatives; and being there seated the roll of the Senate was called, when the following named senators were present:

Messrs. Belser, Carrigan, Clark, Craighead, Douglas, Fagan, Gray, Jones, Lemoyne, McAlexander, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—23.

The roll of the House was then called, by order of the Speaker, and it appearing that there was a quorum of each house present, the object of the convention was announced and nominations for chief justice of the supreme court declared in order.

Mr. Mitchell, of the Senate, nominated Hon. Elbert H. English.

No other nomination being made, the rolls were called, when it appeared that on joint ballot, Hon. Elbert H. English had received 93 votes—23 in the Senate and 70 in the House.

Those Senators who voted for Judge English, are

Messrs. Belser, Carrigan, Clark, Craighead, Douglas, Fagan, Gray, Jones, Lemoyne, McAlexander, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—23.

Whereupon, the President announced that Hon. Elbert H. English, having received the entire vote cast in the convention, was duly and constitutionally elected chief justice of the Supreme Court of the State of Arkansas, for and during the term prescribed by law.

The President then declared nominations in order for an associate justice of the supreme court, for the unexpired term of Hon. Henry M. Rector, resigned.

Whereupon, Mr. Trimble nominated Hon. Hulbert F. Fairchild.

No other nomination being made the rolls were called, when it appeared that on joint ballot Mr. Fairchild had received 94 votes—23 in the Senate and 71 in the House.

Those senators who voted for Hon. Hulbert F. Fairchild, are

Messrs. Belser, Carrigan, Clark, Craighead, Douglas, Fagan, Gray, Jones, Lemoyne, McAlexander, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—23.

The President announced that Hon. Hulbert F. Fairchild, having received the entire vote cast in the convention, was duly and constitutionally elected associate justice of the supreme court, to fill the unexpired term of Hon. Henry M. Rector, resigned.

Mr. President then announced that the convention would proceed to the election of secretary of state, and declared nominations in order.

Mr. Humphreys, of the House, nominated George West, of Phillips county.

Mr. Watkins nominated James R. Berry, of Madison county

Mr. Fagan nominated Col. Sandford C. Faulkner, of Pulaski county.

Mr. Terry nominated Samuel M. Weaver, of Pulaski county.

Mr. Clark nominated Dr. J. J. Gaines, of Hempstead county.

Mr. Lemoyne nominated Dr. John I. Stirman, of Yell county.

No other nominations were made.

FIRST BALLOT.

The rolls were called, when it appeared that on joint ballot the result was as follows:

Mr. West, 18 votes—3 in the Senate and 15 in the House.

Mr. Berry, 17 votes—4 in the Senate and 13 in the House.

Mr. Faulkner, 5 votes—1 in the Senate and 4 in the House.

Mr. Weaver, 5 votes—2 in the Senate and 3 in the House.

Mr. Gaines, 20 votes—4 in the Senate and 16 in the House.

Mr. Stirman, 29 votes—9 in the Senate and 20 in the House.

The senators voted as follows:

Messrs. Belser, Gray and McCreery, voted for Mr. West—33.

Messrs. Douglas, Miller, Mitchell and Watkins, voted for Mr. Mr. Berry—4.

Mr. Fagan voted for Mr. Faulkner—1.

Mr. Terry and Mr. President voted for Mr. Weaver—2.

Messrs. Carrigan, Clark, Mecklin and Pennington, voted for Dr. Gaines—4.

Messrs. Craighead, Jones, Lemoyne, McAlexander, McColloch, Oates, Rosson, Trimble and Ward, voted for Dr. Stirman—9.

Neither of the candidates having received a majority of all the votes cast, there was no election, and the President announced that the convention would proceed to the

SECOND BALLOT.

The rolls were then called with the following result:

Mr. West, 11 votes—3 in the Senate and 8 in the House.

Mr. Berry, 16 votes—4 in the Senate and 12 in the House.

Mr. Faulkner, 3 votes—1 in the Senate and 2 in the House.

Mr. Weaver, 3 votes—2 in the Senate and 1 in the House.

Mr. Gaines, 26 votes—4 in the Senate and 22 in the House.

Mr. Stirman, 35 votes—9 in the Senate and 26 in the House.

The senators voted as follows:

Messrs. Belser, Gray and McCreery voted for Mr. West—3.

Messrs. Douglas, Miller, Mitchell and Watkins voted for Mr. Berry—4.

Mr. Fagan voted for Mr. Faulkner—1.

Mr. Terry and Mr. President voted for Mr. Weaver—2.

Messrs. Carrigan, Clark, Mecklin and Pennington voted for Mr. Gaines—4.

Messrs. Craighead, Jones, Lemoyne, McAlexander, McCulloch, Oates, Rosson, Trimble and Ward, voted for Mr. Stirman—9.

Neither of the candidates having received a majority of all the votes cast, there was no election, and the President announced that the convention would proceed to the

THIRD BALLOT.

The rolls were called with the following result:

Mr. West, 7 votes—1 in the Senate and 6 in the House.

Mr. Berry, 14 votes—4 in the Senate and 10 in the House.

Mr. Faulkner, 5 votes—2 in the Senate and 3 in the House.

Mr. Weaver, 2 votes—2 in the Senate and 0 in the House.

Mr. Gaines, 23 votes—5 in the Senate and 18 in the House.

Mr. Stirman, 43 votes—9 in the Senate and 34 in the House.

The senators voted as follows:

Mr. McCreery voted for Mr. West—1.

Messrs. Douglas, Miller, Mitchell and Watkins, voted for Mr. Berry—4.

Messrs. Belser and Fagan voted for Mr. Faulkner—2.

Mr. Terry and Mr. President, voted for Mr. Weaver—2.

Messrs. Carrigan, Clark, Gray, Mecklin and Pennington voted for Mr. Gaines—5.

Messrs. Craighead, Jones, Lemoyne, McAlexander, McCulloch, Oates, Rosson, Trimble and Ward, voted for Mr. Stirman—9.

Neither of the candidates voted for having received a majority of all the votes cast, there was no election, and the President announced that the convention would proceed to ballot the fourth time.

Mr. Terry withdrew the name of Samuel M. Weaver.

Mr. Acree, of the House, withdrew the name of George West.

FOURTH BALLOT.

The rolls were called with the following result:

Mr. Berry, 12 votes—3 in the Senate and 9 in the House.

Mr. Faulkner, 7 votes—4 in the Senate and 3 in the House.

Mr. Gaines, 29 votes—6 in the Senate and 23 in the House.

Mr. Stirman, 46 votes—10 in the Senate and 36 in the House.

The senators voted as follows:

Messrs. Douglas, Mitchell and Watkins, voted for Mr. Berry—3.

Messrs. Belser, Fagan, Miller and Terry, voted for Mr. Faulkner—4.

Messrs. Carrigan, Clark, Gray, McCreery, Mecklin and Pennington voted for Mr. Gaines—6.

Messrs. Craighead, Jones, Lemoyne, McAlexander, McCulloch, Oates, Rosson, Trimble Ward and Mr. President, voted for Mr. Stirman—10.

Neither of the candidates voted for having received a majority of all the votes cast, there was no election, and the President stated that the convention would proceed to ballot the fifth time.

Mr. Watkins withdrew the name of James R. Berry.

FIFTH BALLOT.

The rolls were called with the following result:

Mr. Faulkner, 7 votes—4 in the Senate and 3 in the House.

Mr. Gaines, 35 votes—7 in the Senate and 28 in the House.

Mr. Stirman, 52 votes—12 in the Senate and 40 in the House.

The senators voted as follows:

Messrs. Belser, Fagan, Miller and Terry, voted for Mr. Faulkner—4.

Messrs. Carrigan, Clark, Douglas, Gray, McCreery, Mecklin and Pennington, voted for Mr. Gaines—7.

Messrs. Craighead, Jones, Lemoyne, McAlexander, McCulloch

loch, Mitchell, Oates, Rosson, Trimble, Ward, Watkins and Mr. President voted for Mr. Stirman—12.

Whereupon, the President announced that John I. Stirman, having received a majority of all the votes cast in the convention, was duly and constitutionally elected secretary of state, for the State of Arkansas, for and during the term prescribed by law.

The objects of the convention of the two houses having been accomplished the Senate returned to their chamber; and

On motion of Mr. Craighead, adjourned until 10 o'clock Monday morning.

THOS. FLETCHER,

President.

MONDAY, November 19th, 1860.

Senate met.

Roll called.

P R E S E N T :

Messrs. Belser, Carrigan, Clark, Craighead, Fagan, Gray, Jones, Lemoyne, McAlexander, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Terry, Trimble, Ward, Watkins and Mr. President—21.

The journal of Saturday, except the votes for judges of the supreme court and secretary of state, (the reading of which was, on motion of Mr. Clark, dispensed with), was read, approved and signed.

Petitions and memorials were in order.

Mr. McColloch presented the petition of Nat. G. Smith, with accompanying documents, representing and showing that he had sustained a loss of four hundred and forty-nine dollars, in the construction of a levee on the Moro, in Calhoun county,

and praying the passage of an act appropriating said amount for his relief.

Which petition and accompanying papers were referred to the committee on swamp and overflowed lands.

Motions and resolutions were in order.

Mr. Terry offered the following resolutions on federal relations:

Be it resolved by the General Assembly of the State of Arkansas, That we view with sorrow and regret, the result of the last presidential election, as it plainly manifests a spirit of aggressive fanaticism, which if not speedily checked will override the constitution and destroy the equality of the states.

2. *Resolved,* That we do not regard the election of Abraham Lincoln alone as a breach of our federal rights, but the spirit which prompted it, is cause for just alarm, and too plainly indicates that laws and compacts are of no force when opposed by the general spirit of fanaticism, which seems to pervade the northern mind.

3. *Resolved,* That we will defer to our older southern sisters, that if they choose to submit, we will abide their decision. But if they or any of them deem it wise and prudent to withdraw, we will regard it as our sacred duty to follow, and let the consequences rest upon those whose constant spirit of aggression induces the necessity of this step and evinces a desire to trample under foot the rights of states and individuals, and destroy alike our country and its constitution.

4. *Resolved,* That a committee of five shall be appointed by the President of the Senate, to be called the committee on "federal relations," whose duty it shall be to take this subject into consideration and report by bill or otherwise, at some early period of the present legislature.

Said resolutions were read.

Mr. Terry moved that the committee on "federal relations" be now appointed, which motion prevailed, and

Thereupon the President appointed Messrs. Terry, Watkins, Craighead, Belser and McCreery as such committee.

Message from the House of Representatives by the clerk:

Mr. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have passed House bill No. 23, to be entitled an act for the relief of Calvin M. Hervey, of Hempstead county.

Said bill is herewith transmitted for the assent of your honorable body, which is respectfully asked.

Said bill is accompanied by documentary evidence.

S. M. SCOTT, *Clerk of
House of Representatives.*

Mr. McCreery offered the following resolution, proposing an amendment to the constitution:

Resolved by the General Assembly of the State of Arkansas, That the following be, and the same is hereby proposed as an amendment to the constitution, to-wit:

Strike out and abolish the 29th section of article IV, of the constitution, and substitute this section instead thereof, to-wit:

No county established by law shall now be reduced by the establishment of any new county or counties to a less population than its ratio of representation in the House of Representatives, nor shall any new county be hereafter established which shall contain a less population than will entitle such new county to one member in the House of representatives.

Which was read the first time, and passed to the second reading on another day.

Mr. Oates offered the following

RESOLUTIONS:

WHEREAS, The State of Arkansas is a stockholder in the Memphis and Little Rock railroad company, and in the Mississippi, Ouachita and Red river railroad company, to the amount of forty thousand dollars each, which said amounts have been paid over to said companies; therefore be it

Resolved, That the said Memphis and Little Rock railroad company, and the said Mississippi, Ouachita and Red river railroad company, by their proper officers, be, and they are hereby requested, to make at an early day an exhibit to the Senate of their transactions for the past two years, stating in said exhibit, the total amount and character of their assets, the amount paid out by said companies, to whom paid, and on what account, the amount of their indebtedness, to whom, and on what account they owe the same, and whether there is now any mortgage or other incumbrance upon either of said roads and fixtures.

Be it further resolved, That the secretary of the Senate furnish the president of each of said railroad companies with a copy of these resolutions as early as convenient.

Which resolutions were read, and

On motion of Mr. Watkins, adopted.

Mr. Ward offered the following

RESOLUTION:

WHEREAS, The present incumbent of the treasurer's office is not a candidate for re-election, and is very desirous of surrendering his office to a successor.

Resolved, therefore, That with the concurrence of the House of Representatives, the two houses will on to-morrow morning at 10½ o'clock, a. m., go into the election of a treasurer of the state.

Which was read the first time, and

On motion of Mr. Terry, the rule was suspended, the resolution read the second time, and

On motion of Mr. Oates, adopted.

Mr. Pennington offered the following

RESOLUTION:

"Resolved, House concurring, that the committee on public buildings be constituted a joint committee."

Read and adopted.

Reports from standing committees were in order.

Mr. Oates, from the committee on judiciary, made the following

REPORT:

MR. PRESIDENT—

The judiciary committee to which was referred Senate bill No. 16, entitled "an act for the relief of Redmond Rodgers, as administrator of the estate of John E. Manley, deceased," have had the same under consideration, and have instructed me to report the same back to the Senate and recommend its rejection.

OATES, *Chairman.*

Which report was read, and

On motion of Mr. Oates adopted, and the bill thereby rejected.

Mr. Oates, further from the committee on judiciary, made the following

REPORT:

MR. PRESIDENT—

The judiciary committee to which was referred "House

bill No. 11, to be entitled an act to authorize the administrator of the estate of Thomas J. Watts, deceased, to keep the administration of said estate open for more than three years, and to execute title in a certain case," have considered the same and have instructed me to report the same back to the Senate and recommend its rejection.

OATES, *Chairman.*

Which report was read, and

On motion of Mr. Watkins, adopted, and said House bill thereby rejected.

Mr. Oates, further from the committee on judiciary, made the following

REPORT:

MR. PRESIDENT—

The judiciary committee to which was referred Senate bill No. 19, to be entitled an act to amend chapter 111, page 765 of the Digest of this state, have considered the same, and have instructed me to report the same back to the Senate and recommend its passage.

OATES, *Chairman.*

Said report was received, and

On motion of Mr. Clark, said Senate bill was read the third time and passed.

Mr. Oates, further from the committee on judiciary, made the following

REPORT:

MR. PRESIDENT—

The judiciary committee to which was referred the memorial of 258 citizens of Franklin township, in Calhoun county, praying for the passage of a law "to prevent the sale of ardent spirits and vinous liquors in any quantity whatever, within three miles of the Hampton Male and Female Academies," have had the same under consideration, and a majority of the committee have instructed me to report the same back to the Senate and recommend that the prayer of the petitioners be rejected.

OATES, *Chairman.*

Said report was received, and thereupon Mr. McColloch presented the following minority

REPORT.

MR. PRESIDENT—

As a member of the judiciary, committee to whom was referred the memorial of 258 citizens of Calhoun county, praying this body to pass a law prohibiting the sale of ardent spirits within three miles of the Hampton Male and Female Academies, I beg leave to present this, my minority report, upon said memorial.

The framers of our constitution declared, and those in authority, whether executive, judicial or legislative, have ever acknowledged the right of the people in a peaceable manner, to assemble together for the common good; to *instruct* their *representatives*, and to apply to those invested with the power of government or the enactment of laws, for redress of their grievances, or other proper purposes.

Nor am I aware that the right of the citizens of any county to petition the legislature for the enactment of such laws as, in their opinion, would best promote their interest, has ever been questioned by either department of our government since its formation to the present time. By this means, the minds of the legislature are often enlightened as to matters of expediency, which (perhaps) otherwise would not be brought before them.

It is to be presumed that the citizens of a particular locality know better what is requisite and necessary to further their own interest, and are often better qualified to judge as to what would be most effectual in the furtherance of such interest, than any other persons.

In the case before you, 258 citizens of my county (for whose integrity and sound judgment, I do not hesitate to vouch), have respectfully memorialized this body to pass a law for what they deem to be for the protection of their schools, and for the removal of a traffic, which, in their opinion and sound judgment, is a curse to society; and the majority of the committee, of which I have the honor to be a member, and to whom said memorial was referred, have said to those 258 citizens, that your request is unreasonable, and, therefore, your prayer shall be rejected.

With all due deference to the opinions of the majority of said committee, I respectfully beg leave to differ, and must be allowed to insist that the memorial ought to be granted, and that a law should be passed in accordance with the prayer of the petitioners.

J. B. McCOLLOCH.

Said minority report was read and received.

On motion of Mr. Oates, the majority report was adopted, and the prayer of the petitioners thereby rejected.

The introduction of bills was in order.

No. 22. Mr. Terry introduced Senate bill, to be entitled "an act for the relief of John Wassell."

Read the first time.

On motion of Mr. Terry, the rules were suspended, the bill read the second time by title, and referred to the committee on claims.

Mr. Oates, on leave, offered the following

RESOLUTION:

Resolved, That a communication be sent to the House of Representatives, advising them that the Senate have reconsidered the vote taken Saturday last, by which they concurred in the resolution of the House to go into the election of land attorney and state collector, and land agents for the several districts in this state, on to-morrow at 11 o'clock, a. m., and requesting them to return said resolution to the Senate for further action.

Read, and, on motion of Mr. Oates, adopted.

No. 23. Mr. McAlexander introduced Senate bill, to be entitled "an act to authorize the clerk of the circuit court of Lawrence county to transcribe certain records of his office."

Read the first time.

On motion of Mr. McAlexander, the rules were twice suspended, the bill read the second time by title, and the third time in full, and passed.

Mr. President announced the hour for special order, Senate bill No. 2, to be entitled "an act to define the punishment of certain crimes," when the Senate, pursuant to previous order, was resolved into the committee of the whole to consider of said bill and the amendment thereto pending; Mr. Clark being called to the chair.

After some time spent in deliberation, the committee arose, reported progress, and asked to be discharged from the further consideration of said bill and amendment.

On motion of Mr. Oates, the report was adopted, and the committee discharged, as requested.

On motion of Mr. Lemoyne, the bill and amendment were referred to the committee on judiciary.

No. 24. Mr. Lemoyne introduced Senate bill, to be entitled

“ an act to establish a lunatic asylum in this state, and to provide for the support and comfort of lunatics.”

Read the first time.

On motion of Mr. Fagan, the rules were suspended, the bill read the second time by title, and,

On his further motion, it was referred to the committee on ways and means.

House bills on their first reading were in order.

House bill No. 23, to be entitled “ an act for the relief of Calvin M. Hervey, of Hempstead county,” was taken up and read the first time.

On motion of Mr. Carrigan, the rules were suspended, the bill read the second time by title, and referred to the committee on judiciary.

House bill No. 27, to be entitled “ an act to extend the boundaries of the city of Little Rock,” was taken up and read the first time.

On motion of Mr. Oates, the rules were suspended, the bill read the second time, by title, and referred to the committee on counties and county lines.

On motion of Mr. Watkins, the Senate adjourned until 9½ o'clock, to-morrow morning.

THOS. FLETCHER,

President.

TUESDAY, *November 20th*, 1860.

Senate met.

Roll called.

P R E S E N T :

Messrs. Belser, Carrigan, Clark, Craighead, Fagan, Gray, Jones, Lemoyne, McAlexander, McColloch, McCreery, Mecklin,

Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—22.

The Journal of yesterday was read, approved and signed.

Message from the House of Representatives, by the clerk:

Mr. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have refused to concur in Senate resolution to go into the election of treasurer on to-morrow at 10½ o'clock, a. m.

Said resolution is herewith returned.

In obedience to instructions of the House, I return House resolution to go into the election of land attorney and state collector, and state land agents, this day, to the Senate, for its further consideration.

S. M. SCOTT, *Clerk*

House of Reps.

On motion of Mr. Oates, the resolution returned from the House, to go into the election of land attorney and state collector, and state land agents was taken up.

Mr. Oates moved to amend said resolution by striking out the words "land attorney and state collector;" which motion prevailed on a division—14 in the affirmative and 8 in the negative.

The resolution, as amended, was then concurred in by the Senate, and the secretary instructed to return it to the House forthwith.

Message from the House of Representatives by the clerk:

Mr. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives has adopted the following resolution:

Resolved, That the Senate and House committee on banks be made a joint committee, and the Senate be requested to concur herein.

Said resolution is herewith transmitted for the concurrence of your honorable body, which is respectfully asked.

The House of Representatives have adopted the following resolution, to-wit:

Resolved, That the Senate and House committees on the

penitentiary, be made a joint committee, and that the Senate be requested to concur herein.

Which is herewith transmitted for the concurrence of your honorable body, which is respectfully asked.

The House of Representatives have adopted House joint resolution No. 15, relative to procuring an act by Congress to confirm sales of lands under the graduation acts.

Also, House joint resolution No. 16, relative to a change in mail route 7,938, from Arkadelphia to Mt. Ida, thence to Dallas, thence to Waldron, thence through Greenwood to Ft. Smith.

Said two joint resolutions are herewith transmitted for the concurrence of your honorable body which is respectfully asked.

S. M. SCOTT, *Clerk of*
House of Representatives.

Petitions and memorials were in order.

Mr. Miller presented a petition signed by numerous citizens of Franklin county, representing that Fredrick Blackwell, a free born mulatto, a resident of Franklin county, is likely to be forced away from said county, by virtue of the existing laws of this state, or be sold into bondage, etc., etc., and praying the passage of an act exempting said negro from the operations of said laws, etc.

Which petition was read, and on motion of Mr. Miller, referred to the committee on memorials.

Mr. Terry presented a petition accompanied by a bill to incorporate the Arkadelphia Female College, which petition was read, and with the bill, referred to the committee on education.

On motion of Mr. McCreery, Senate resolution proposing to amend the constitution of this state, so that no county now established by law shall ever be reduced by the establishment of any new county or counties, to a less population than its ratio in the House of Representatives, etc., etc., was taken up and read the second time; and on his further motion referred to the committee on counties and county lines.

Mr. Fagan offered the following

RESOLUTION:

Resolved, That that portion of Governor Conway's last message, relative to the purchase by the state of a suitable man-

sion for the governor, be referred to the committee on public buildings.

Which was read and adopted.

Reports from standing committees were in order.

Mr. Clark, from the committee on education, made the following

REPORT:

MR. PRESIDENT—

The committee on education, to whom was referred Senate bill No. 21, to be entitled "an act to incorporate the Arkansas Institution for the education of the deaf and dumb," have had the same under consideration, and have instructed me to report the same back to the Senate, with two amendments, and as amended, to recommend its passage.

CLARK, *Chairman.*

Amend the 8th section by striking out all after the word "tuition."

Amend the 10th section by filling the blank therein with "six thousand."

Said report was received.

Mr. Clark moved to adopt the amendment to section 8; which motion was lost.

On motion of Mr. Clark, the amendment to section 10 was adopted, and the blank filled with the words "six thousand."

Mr. Craighead offered to amend section 8, by inserting after the word "instruction," the words "whose parents are unable to defray the expenses of their board and tuition."

Which amendment was adopted, on a division—11 in the affirmative, and 8 in the negative.

On motion of Mr. Clark the bill was read the third time, as amended, and passed.

Message from the House of Representatives, by the clerk:

MR. PRESIDENT—

I am instructed to inform your honorable body, that the House of Representatives have concurred in the amendment of the Senate to House resolution proposing to go into the election of land attorney and state collector and state land agents this day—said amendment being to strike out land attorney and state collector.

S. M. SCOTT, *Clerk of
House of Representatives.*

On motion of Mr. Watkins, the Senate took a recess until five minutes before eleven o'clock.

At five minutes before 11 o'clock the Senate was called to order by the President.

The following message was received from the House by the clerk:

MR. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives are now ready to receive your honorable body in their hall, for the purpose of going into the election of state land agents for the various swamp land districts in this state.

S. M. SCOTT, *Clerk of
House of Representatives.*

On motion of Mr. Oates, the Senate repaired to the hall of the House of Representatives, and being there seated, the roll of the Senate was called by order of the President, when the following senators answered to their names:

Messrs. Belser, Carrigan, Clark, Craighead, Fagan, Gray, Jones, Lemoyne, McAlexander, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—22.

The roll of the House was then called by order of the Speaker, and it appearing that there was a quorum of both houses present the object of the convention, was stated by the President, and nominations for state land agent of the Helena district were declared in order.

Mr. Smith nominated Robert Maloney.

No other nomination was made, and the roll being called, it appeared that on joint ballot, Robert Maloney had received 90 votes—22 in the Senate, and 68 in the House.

In the House, George West received 1 vote.

Those senators voting for Robert Maloney, were

Messrs. Belser, Carrigan, Clark, Craighead, Fagan, Gray

Jones, Lemoyne, McAlexander, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—22.

Whereupon the President announced that Robert Maloney having received a majority of all the votes cast, was duly and legally elected state land agent of the Helena district for and during the time prescribed by law.

Mr. President then announced that nominations for state land agent of the Champagnolle district were in order.

Mr. Nolan, of the House, nominated V. L. Kelly.

Mr. Williams, of the House, nominated Robert H. Sewell.

No other nominations being made, the roll was called, when it appeared that on joint ballot Mr. Kelly had received 65 votes—20 in the Senate and 45 in the House.

Mr. Sewell, 27 votes—2 in the Senate and 25 in the House.

Those Senators who voted for Mr. Kelly, were

Messrs. Belser, Carrigan, Clark, Craighead, Fagan, Gray, Jones, Lemoyne, McAlexander, McColloch, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Trimble, Ward, Watkins and Mr. President—20.

Messrs. McCreery and Terry voted for Mr. Sewell—2.

Whereupon, the President announced that V. L. Kelly having received a majority of all the votes cast, was duly and legally elected state land agent of the Champagnolle district, for and during the term prescribed by law.

Mr. President then announced that nominations for state land agent of the Washington district were in order.

Mr. Killgore, of the House, nominated James P. Erwin.

Mr. Hemmingway, of the House, nominated J. P. Brice.

Mr. Garland, of the House, nominated George Hill.

No other nominations were made.

FIRST BALLOT.

The rolls were called with the following result:

Mr. Erwin, 34 votes—9 in the Senate and 25 in the House.

Mr. Brice, 26 votes—7 in the Senate and 19 in the House.

Mr. Hill, 32 votes—6 in the Senate and 26 in the House.

Those senators who voted for Mr. Erwin, were

Messrs. Carrigan, Craighead, Lemoyne, Mecklin, Miller, Mitchell, Oates, Ward and Mr. President—9.

Those voting for Mr. Brice, were

Messrs. Belser, Gray, Jones, McColloch, McCreery, Terry and Trimble—7.

Those voting for Hill, were

Messrs. Clark, Fagan, McAlexander, Pennington, Rosson and Watkins—6.

Neither of the candidates having received a majority of all the votes cast, there was no election, and the convention proceeded to the

SECOND BALLOT.

The rolls were called with the following result:

Mr. Erwin, 43 votes—8 in the Senate and 35 in the House.

Mr. Brice, 22 votes—8 in the Senate and 14 in the House.

Mr. Hill, 27 votes—6 in the Senate and 21 in the House.

Those senators voting for Mr. Erwin, were

Messrs. Carrigan, Craighead, Lemoyne, Mecklin, Mitchell, Oates, Ward and Mr. President—8.

Those voting for Mr. Brice, were

Messrs. Belser, Gray, Jones, McColloch, McCreery, Miller, Terry and Trimble—8.

Those voting for Mr. Hill, were

Messrs. Clark, Fagan, McAlexander, Pennington, Rosson and Watkins—6.

Neither of the candidates having received a majority of all votes cast, there was no election, and the convention proceeded to the

THIRD BALLOT.

The rolls were called with the following result:

Mr. Erwin, 54 votes—12 in the Senate and 42 in the House.

Mr. Brice, 15 votes—4 in the Senate and 11 in the House.

Mr. Hill, 23 votes—6 in the Senate and 17 in the House.

Those senators voting for Mr. Erwin, were

Messrs. Carrigan, Craighead, Jones, Lemoyne, Mecklin, Mil-

ler, Mitchell, Oates, Terry, Trimble, Ward and Mr. President—12.

Those voting for Mr. Brice, were
Messrs. Belser, Gray, McColloch and McCreery—4.

Those voting for Mr. Hill, were
Messrs. Clark, Fagan, McAlexander, Pennington, Rosson and Watkins—6.

Whereupon, the President announced that James P. Erwin having received a majority of all the votes cast, was duly and legally elected state land agent for the Washington district, for and during the term prescribed by law.

The President then announced that nominations for state land agent of the Little Rock district were in order.

Mr. Humphreys, of the House, nominated Henry James.

Mr. Terry nominated James B. Moore.

Mr. Gray nominated T. D. Merrick.

Mr. Yell, of the House, nominated W. H. Martin.

Mr. Rosson nominated E. B. Blanks.

Mr. Oates nominated Hilliard W. Hays.

Mr. Murphy, of the House, nominated W. A. Crawford.

No other nominations were made.

FIRST BALLOT.

The rolls were called with the following result:

Mr. James, 7 votes—1 in the Senate and 6 in the House.

Mr. Moore, 17 votes—5 in the Senate and 12 in the House.

Mr. Merrick, 8 votes—5 in the Senate and 3 in the House.

Mr. Martin, 24 votes—4 in the Senate and 20 in the House.

Mr. Blanks, 18 votes—3 in the Senate and 15 in the House.

Mr. Hays, 3 votes—3 in the Senate and 0 in the House.

Mr. Crawford, 15 votes—1 in the Senate and 14 in the House.

The Senate voted as follows:

Mr. McColloch voted for Mr. James—1.

Messrs. Craighead, Terry, Trimble, Watkins and Mr. President voted for Mr. Moore—5.

Messrs. Gray, Lemoyne, McCreery, Mitchell and Ward voted for Mr. Merrick—5.

Messrs. Belser, Carrigan, Clark and Miller voted for Mr. Martin—4.

Messrs. Jones, McAlexander and Rosson voted for Mr. Blanks—3.

Messrs. Mecklin, Oates and Pennington voted for Mr. Hays—3.

Mr. Fagan voted for Mr. Crawford—1.

Neither of the candidates having received a majority of all the votes cast, there was no election, and the President announced that the convention would proceed to the

SECOND BALLOT.

The rolls were called with the following result:

Mr. James, 5 votes—1 in the Senate and 4 in the House.

Mr. Moore, 18 votes—6 in the Senate, and 12 in the House.

Mr. Merrick, 6 votes—3 in the Senate and 3 in the House.

Mr. Martin, 33 votes—5 in the Senate and 28 in the House.

Mr. Blanks, 14 votes—3 in the Senate and 11 in the House.

Mr. Hays, 1 vote—1 in the Senate and 0 in the House.

Mr. Crawford, 15 votes—3 in the Senate and 12 in the House.

The Senate voted as follows:

Mr. McColloch voted for Mr. James—1.

Messrs. Craighead, Terry, Trimble, Ward, Watkins and Mr. President, voted for Mr. Moore—6.

Messrs. Gray, Lemoyne and Mitchell voted for Mr. Merrick—3.

Messrs. Belser, Carrigan, Clark, McCreery and Miller voted for Mr. Martin—5.

Messrs. Jones, McAlexander and Rosson voted for Mr. Blanks—3.

Mr. Oates voted for Mr. Hays—1.

Messrs. Fagan, Mecklin and Pennington voted for Mr. Crawford—3.

Neither of the candidates having received a majority of all the votes cast, there was no election, and the convention proceeded to ballot the third time.

Mr. Humphreys, of the House, withdrew the name of Henry James.

Mr. Oates withdrew the name of Hilliard W. Hays.

THIRD BALLOT.

The rolls were called with the following result:

Mr. Moore, 20 votes—7 in the Senate and 13 in the House.

Mr. Merrick, 5 votes—2 in the Senate and 3 in the House.

Mr. Martin, 36 votes—5 in the Senate and 31 in the House.

Mr. Blanks, 16 votes—2 in the Senate and 14 in the House.

Mr. Crawford, 14 votes—6 in the Senate and 8 in the House.

The Senate voted as follows:

Messrs. Craighead, McAlexander, Terry, Trimble, Ward, Watkins and Mr. President, voted for Mr. Moore—7.

Messrs. Gray and Lemoyne voted for Mr. Merrick—2.

Messrs. Belser, Carrigan, Clark, McCreery and Miller, voted for Mr. Martin—5.

Messrs. Jones and Rosson, voted for Mr. Blanks—2.

Messrs. Fagan, McColloch, Mecklin, Mitchell, Oates and Pennington, voted for Mr. Crawford—6.

Neither of the candidates having received a majority of all the votes cast, there was no election, and the President announced that the convention would ballot again.

Mr. Gray withdrew the name of T. D. Merrick.

FOURTH BALLOT.

The rolls were called with the following result:

Mr. Moore 22 votes—8 in the Senate and 14 in the House.

Mr. Martin, 42 votes—8 in the Senate and 34 in the House.

Mr. Blanks, 17 votes—2 in the Senate and 15 in the House.

Mr. Crawford, 11 votes—4 in the Senate and 7 in the House.

Those senators voting for Mr. Moore, were

Messrs. Craighead, McAlexander, Pennington, Terry, Trimble, Ward, Watkins and Mr. President—8.

Those voting for Mr. Martin, were

Messrs. Belser, Carrigan, Clark, Gray, Lemoyne, McCreery, Mecklin and Miller—8.

Messrs. Jones and Rosson voted for Mr. Blanks—2.

Those senators voting for Mr. Crawford, were

Messrs. Fagan, McColloch, Mitchell and Oates—4.

Neither of the candidates having received a majority of all

the votes cast, the President announced that there was no election, and that the convention would proceed to ballot the fifth time.

Mr. Fagan withdrew the name of W. A. Crawford.

FIFTH BALLOT.

The rolls were called with the following result:

Mr. Moore, 24 votes—9 in the Senate and 15 in the House.

Mr. Martin, 47 votes—11 in the Senate and 36 in the House.

Mr. Blanks, 21 votes—2 in the Senate and 19 in the House.

Those senators who voted for Mr. Moore, are

Messrs. Craighead, Jones, McAlexander, Mitchell, Terry, Trimble, Ward, Watkins and Mr. President—9.

Those who voted for Mr. Martin, were

Messrs. Belser, Carrigan, Clark, Fagan, Gray, Lemoyne, McColloch, McCreery, Mecklin, Miller and Pennington—11.

Messrs. Oates and Rosson, voted for Mr. Blanks—2.

Whereupon, the President announced that William H. Martin, having received a majority of all the votes cast, was duly and legally elected state land agent of the Little Rock district, for and during the term prescribed by law.

Mr. Oates moved that the convention take a recess until 3½ o'clock, p. m.

Which motion was lost:

The President announced that nominations for state land agent of the Clarksville district, were in order.

Mr. Ward nominated Jesse S. Powers.

Mr. Lewis, of the House, nominated Laban C. Howell.

No other nominations being made, the rolls were called, when it appeared that on joint ballot Mr. Powers had received 59 votes—17 in the Senate and 42 in the House; and Mr. Howell 33 votes—5 in the Senate and 28 in the House.

Those senators voting for Mr. Powers, were

Messrs. Belser, Carrigan, Craighead, Fagan, Gray, Jones, Lemoyne, McAlexander, McColloch, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Ward and Watkins—17.

Those voting for Mr. Powell, were

Messrs. Clark, McCreery, Mecklin, Trimble and Mr. President—5.

Whereupon, the President announced that Jesse S. Powers, having received a majority of all the votes cast was duly and legally elected state land agent of the Clarksville district, for and during the term prescribed by law.

The President then announced that nominations for state land agent of the Batesville district were in order.

Mr. Nolan, of the House, nominated Wm. M. Steel.

Mr. Perkins, of the House, nominated M. A. Wycough.

Mr. McAlexander nominated B. F. Matthews.

Mr. Massey, of the House, nominated W. W. Alexander.

Mr. Rosson nominated D. C. Montgomery.

Mr. Saffold, of the House, nominated M. S. Kennard.

FIRST BALLOT.

No other nominations being made the rolls were called, when it appeared that on joint ballot Mr. Steel had received 20 votes; 5 in the Senate and 15 in the House.

Mr. Wycough, 20 votes—1 in the Senate and 19 in the House.

Mr. Matthews, 10 votes—4 in the Senate and 6 in the House.

Mr. Alexander, 12 votes—2 in the Senate and 10 in the House.

Mr. Montgomery, 21 votes—9 in the Senate and 12 in the House.

Mr. Kennard, 8 votes—1 in the Senate and 7 in the House.

Those senators voting for Mr. Steel, were

Messrs. Belser, Gray, Lemoyne, Mitchell and Terry—5.

Mr. McCreery voted for Mr. Wycough—1.

Those senators voting for Mr. Matthews, were

Messrs. Jones, McAlexander, McColloch and Ward—4.

Messrs. Watkins and Mr. President voted for Mr. Alexander—2.

Those senators voting for Mr. Montgomery, were

Messrs. Clark, Craighead, Fagan, Mecklin, Miller, Oates, Pennington, Rosson and Trimble—9.

Mr. Carrigan voted for Mr. Kennard—1.

Neither of the candidates voted for having received a major-

ity of all the votes cast, the President announced that there was no election, and that the convention would ballot the second time.

SECOND BALLOT.

The rolls were then called, when it appeared that on joint ballot Mr. Steel had received 18 votes—6 in the Senate and 12 in the House.

Mr. Wycough, 28 votes—1 in the Senate and 27 in the House.

Mr. Matthews, 6 votes—3 in the Senate and 3 in the House.

Mr. Alexander, 10 votes—1 in the Senate and 9 in the House.

Mr. Montgomery, 20 votes—10 in the Senate and 10 in the House.

Mr. Kennard, 9 votes—1 in the Senate and 8 in the House.

Those senators voting for Mr. Steel, were

Messrs. Belser, Gray, Jones, Lemoyne, Mitchell and Terry—6.

Mr. McCreery voted for Mr. Wycough—1.

Those senators voting for Mr. Matthews, were

Messrs. McAlexander, McColloch and Ward—3.

Mr. President voted for Mr. Alexander—1.

Those senators voting for Mr. Montgomery, were

Messrs. Clark, Craighead, Fagan, Mecklin, Miller, Oates, Pennington, Rosson, Trimble and Watkins—10.

Mr. Carrigan, voted for Mr. Kennard—1.

Neither of the candidates having received a majority of all the votes cast, there was no election, and the President announced that the convention would proceed to ballot the third time.

Mr. Craighead moved that the convention take a recess until 10 o'clock to-morrow morning.

Which motion was lost.

Mr. Du Val, of the House, moved that the convention take a recess until 3 o'clock, p. m.

Which motion was lost.

Mr. Harper, of the House, moved that the convention take a recess until 9 o'clock to-morrow morning.

Which motion was lost.

Mr. Seaborn, of the House, withdrew the name of W. W. Alexander.

THIRD BALLOT.

The rolls were then called the third time, when it appeared that on a joint ballot Mr. Steel had received 25 votes—3 in the Senate and 22 in the House.

Mr. Wycough, 33 votes—4 in the Senate and 29 in the House.

Mr. Matthews, 3 votes—2 in the Senate and 1 in the House.

Mr. Montgomery, 20 votes—12 in the Senate and 8 in the House.

Mr. Kennard, 8 votes—1 in the Senate and 7 in the House.

Those senators who voted for Mr. Steel, were

Messrs. Gray, Lemoyne and Mitchell—3.

Those voting for Mr. Wycough, were

Messrs. Clark, Jones, McColloch and McCreery—4.

Messrs. McAlexander and Mr. President voted for Mr. Matthews—2.

Those senators voting for Mr. Montgomery, were

Messrs. Belser, Craighead, Fagan, Mecklin, Miller, Oates, Pennington, Rosson, Terry, Trimble, Ward and Watkins—12.

Mr. Carrigan voted for Mr. Kennard—1.

Neither of the candidates voted for having received a majority of all the votes cast, the President announced that there was no election, and that the convention would ballot the fourth time.

Mr. Gibson, of the House, moved that the convention take a recess until 9½ o'clock, to-morrow morning.

Which motion was lost on a division—27 voting in the affirmative and 45 in the negative.

Mr. McAlexander withdrew the name of B. F. Matthews.

FOURTH BALLOT.

The rolls were then called the fourth time, when it appeared that on joint ballot Mr. Steel had received 29 votes—7 in the Senate and 22 in the House.

Mr. Wycough, 38 votes—6 in the Senate and 32 in the House.

Mr. Montgomery, 13 votes—6 in the Senate and 7 in the House.

Mr. Kennard, 11 votes—3 in the Senate and 8 in the House.

Those senators voting for Mr. Steel, were

Messrs. Belser, Clark, Gray, Lemoyne, Mitchell, Terry and Ward—7.

Those voting for Mr. Wycough, were

Messrs. Jones, McAlexander, McColloch, McCreery, Miller and Pennington—6.

Those voting for Mr. Montgomery, were

Messrs. Craighead, Oates, Rosson, Trimble, Watkins and Mr. President—6.

Those voting for Mr. Kennard, were

Messrs. Carrigan, Fagan and Mecklin—3.

Neither of the candidates voted for having received a majority of all the votes cast, the President announced that there was no election, and that the convention would ballot the fifth time.

Mr. Rosson withdrew the name of D. C. Montgomery.

FIFTH BALLOT.

The rolls were called the fifth time when it appeared that on joint ballot Mr. Steel had received 36 votes—7 in the Senate and 29 in the House.

Mr. Wycough 43 votes—11 in the Senate and 32 in the House.

Mr. Kennard 12 votes—4 in the Senate and 8 in the House.

Those senators voting for Mr. Steel were

Messrs. Belser, Gray, Lemoyne, McColloch, Mitchell, Terry and Mr. President—7.

Those voting for Mr. Wycough, were

Messrs. Clark, Craighead, Jones, McAlexander, McCreery, Miller, Pennington, Rosson, Trimble, Ward and Watkins—11.

Those voting for Mr. Kennard, were

Messrs. Carrigan, Fagan, Mecklin and Oates—4.

Neither of the candidates voted for having received a majority of all the votes cast, the President announced that

there was no election, and the convention would proceed to ballot the sixth time.

Mr. Saffold of the House, withdrew the name of M. S. Kennard.

SIXTH BALLOT.

The rolls were then called the sixth time, when it appeared that on joint ballot, Mr. Steel had received 46 votes—12 in the Senate and 34 in the House, and Mr. Wycough 45 votes—10 in the Senate and 35 in the House.

Those senators voting for Mr. Steel, were

Messrs. Belser, Carrigan, Clark, Fagan, Gray, Jones, Lemoyne, Mecklin, Mitchell, Oates, Terry and Mr. President—12.

Those voting for Mr. Wycough, were.

Messrs. Craighead, McAlexander, McColloch, McCreery, Miller, Pennington, Rosson, Trimble, Ward and Watkins—10.

Thereupon the President announced that William M. Steel having received a majority of all the votes cast, was duly and legally elected state land agent of the Batesville district, for and during the term prescribed by law.

The object of the convention having been accomplished, the Senate returned to their chamber, and

On motion of Mr. Watkins, adjourned till 9½ o'clock to-morrow morning.

THOS. FLETCHER,

President.

WEDNESDAY, November 21st, 1860.

The Senate met.

Roll called.

PRESENT:

Messrs. Belser, Carrigan, Clark, Craighead, Fagan, Gray, Jones, Lemoyne, McAlexander, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President.—22.

The journal of yesterday, except the ballotings for state land agents, (the reading of which, were, on motion of Mr. Oates, dispensed with,) was read, approved and signed.

Petitions and memorials were in order.

Mr. Mecklin presented a certified copy of a statement made by J. M. Tebbetts, esq., of a judgment rendered in Washington county, in 1841, in favor of the Bank of the State of Arkansas, against John B. Webster, Alexander H. McKissick and James B. Simpson, whereby it appears that said bank owes the said James B. Simpson the sum of sixty-two dollars and eighty-four cents.

No. 25. Which statement was accompanied by a bill to be entitled an act for the relief of James B. Simpson.

Said bill was read the first time.

On motion of Mr. Mecklin, the rules were suspended, the bill read the second time by title, and

On motion of Mr. Carrigan, it was referred to the committee on claims.

Motions and resolutions were in order.

Mr. Mitchell offered the following

RESOLUTION:

Resolved, That with the concurrence of the House of Representatives, the two houses will go into the election of a treasurer of the state on to-morrow at 11 o'clock, a m.

Which was read the first time.

On motion of Mr. Fagan, the rule was suspended, the resolution read the second time, and on motion of Mr. Fagan, adopted.

Reports from standing committees were in order.

Mr. Ward, from the committee on public printing, made the following

REPORT:

MR. PRESIDENT—

The committee on public printing to which was referred the two memorials of Henry Jacobi, have had the same under consideration, and have instructed me to report the accompanying bill for his relief and recommend its passage.

WARD, *Chairman.*

Which report was read and received, and the accompanying bill, (No. 26,) to be entitled "an act for the relief of Henry Jacobi," was read the first time.

On motion of Mr. Lemoyne, the rules were suspended, the bill read the second time by title, and ordered to take its course under the rules.

Mr. McColloch, from the committee on counties and county lines, made the following

REPORT:

MR. PRESIDENT—

The committee on counties and county lines, to whom was referred Senate bill No. 18, entitled road law for Pulaski county, have considered the same, and recommend the following amendment, and with the amendment, recommend its passage.

McCOLLOCH, *Chairman.*

Amend by striking out all of section 8 and insert in lieu thereof, the following:

That any superintendent appointed by the court who shall refuse to perform his duty, or any overseer failing to keep his road in good order and repair without a sufficient legal excuse, for such refusal or failure, shall be punished as provided in section 32; of chapter 149, page 966 of the Digest of this state.

Which amendment was read, and on motion of Mr. McColloch, adopted.

On motion of Mr. Terry, the bill was read as amended and passed.

Message from the House of Representatives by the clerk:

MR. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have adopted House joint resolution No. 17, relative to a mail stage route from Des Arc to Clarksville, Arkansas.

Said resolution is herewith transmitted for the concurrence of your honorable body, which is respectfully asked.

The House of Representatives have passed House bill No. 54, to be entitled "an act for the relief of Charles D. Leavitt, of Desha county, Arkansas."

Said bill is herewith transmitted for the assent of your honorable body, which is respectfully asked.

The House of Representatives have assented to Senate bill No. 12, to be entitled "an act to authorize the county and probate judge of Carroll county, to cause to be transcribed the records of said county of Carroll, and to legalize the same when so transcribed."

Said Senate bill is herewith returned.

The House of Representatives have passed House bill No. 40, to be entitled an act for the relief of Preston M. Anderson, of Franklin county.

Said bill is herewith transmitted for the assent of your honorable body, which is respectfully asked.

S. M. SCOTT, *Clerk of
House of Representatives.*

Mr. Fagan, from the committee on enrollment, made the following.

REPORT:

MR. PRESIDENT—

I have the honor to report that on the 20th inst., as chairman of the committee on enrolled bills, I handed to the governor for his approval or rejection, the enrollment of a joint resolution relative to the graduation of the public lands within the six miles reservation of the different railroads in this state.

Respectfully submitted,

FAGAN, *Chairman,
of committee of enrollments.*

Which report was read and received.

Mr. McColloch, from the committee on counties and county lines, made the following

REPORT:

MR. PRESIDENT—

The committee on counties and county lines to whom was referred House bill No. 27, entitled an act to extend the boundaries of the city of Little Rock, have had the same under

consideration, and a majority of said committee have instructed me to report the same back and recommend its passage.

McCOLLOCH, *Chairman*.

Which report was read and received, and on motion of Mr. Fagan, the bill was read the third time and passed.

Mr. Oates was called to the chair.

No. 27. Mr. President introduced Senate bill to be entitled an act to authorize J. S. Mayberry, administrator of R. D. Owen, deceased, to sell certain lands in the county of Arkansas, which bill was accompanied by a petition of sundry citizens of Arkansas county, and a statement of said J. S. Mayberry, asking and consenting to the passage of the bill.

Said petition and statement were read, and the bill read the first time.

On motion of Mr. President, the rules were twice suspended, the bill read the second and third times and passed.

House bills on the first reading were ordered up.

House bill No. 39, to be entitled an act to repeal an act passed at the last session of the General Assembly, entitled an act for the benefit of the Princeton Male and Female Academies, approved 3d February, 1859, was read the first time.

On motion of Mr. Pennington, the rules were suspended, the bill read the second time by title, and on motion of Mr. President, referred to the committee on education.

House bill No. 40, to be entitled an act for the relief of Preston M. Anderson, of Franklin county, was read the first time.

On motion of Mr. McColloch, the rules were suspended, the bill read the second time by title; and,

On motion of Mr. Pennington, it was referred to the committee on swamp and overflowed lands.

House bill No. 54, to be entitled "an act for the relief of Charles D. Leavitt, of Desha county," was read the first time.

On motion of Mr. President, the rules were suspended, the bill read the second time by title; and

On his further motion, it was referred to the committee on ways and means.

House joint resolutions on their first reading were ordered up.

House joint resolution No. 7, for a "two or four horse mail stage route from the town of St. Charles, on White river, in Arkansas county, to the town of Brownsville, in Prairie county," was taken up and read the first time.

On motion of Mr. Terry, the rules were suspended, the resolution was read the second time and concurred in by the Senate.

House joint resolution No. 13, for a "two or four-horse stage line from Batesville to Fayetteville, Arkansas, by the way of Mt. Olive, in Izard county, Yellville, in Marion county, Carrollton, in Carroll county, and Huntsville, in Madison county," was taken up and read the first time.

On motion of Mr. Trimble, the rule was suspended, the resolution read the second time and concurred in by the Senate.

House joint resolution No. 15, for an act of Congress to legalize and confirm all sales of lands heretofore made under the graduation act, within the state of Arkansas, was taken up and read the first time.

On motion of Mr. Pennington, the rules were suspended, the resolution read the second time and concurred in by the Senate.

House joint resolution No. 16, for a change of service on mail route No. 7,938, from Arkadelphia, in Clark county, to Mt. Ida, in Montgomery county, thence to Dallas, in Polk county, through Greenwood, to Fort Smith, in Sebastian county, was taken up and read the first time.

On motion of Mr. Pennington, the rule was suspended, the resolution read the second time, and concurred in by the Senate.

House joint resolution No. 17, "for a four-horse stage coach line from Des Arc, on White river, by way of Springfield, in Conway county, Dover, in Pope county, and Clarksville, in Johnson county," was taken up and read the first time.

On motion of Mr. Fagan, the resolution was amended by inserting the words "to use their influence" before the words "to establish."

The resolution was then read, as amended, and concurred in by the Senate.

Senate joint resolutions were taken up.

Senate joint resolution No. 8, to provide for printing two thousand copies of the journal of the convention which framed the state constitution, was taken up and read the second time.

Mr. Trimble moved to fill the blank, to make an appropriation for printing said journal, with the words "one hundred and seventy-five."

On which motion Mr. Lemoyne demanded the yeas and nays, and the demand being sustained, the roll was called with the following result:

YEAS—Messrs. Terry and Trimble—2.

NAYS—Messrs. Belser, Carrigan, Clark, Craighead, Fagan, Gray, Jones, Lemoyne, McAlexander, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Ward, Watkins and Mr. President—20.

So the motion was lost.

Mr. Lemoyne moved to amend by striking out the words "two thousand," as indicating the number of journals to be printed, and inserting the word "fifty," and demanded the yeas and nays thereon.

After some debate, Mr. Rosson moved the indefinite postponement of the resolution and proposed amendment.

On which motion Mr. Trimble demanded the yeas and nays, which demand was sustained, and the roll called, with the following result:

YEAS—Messrs. Belser, Carrigan, Craighead, Fagan, Jones, Lemoyne, McAlexander, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Ward, Watkins and Mr. President—17.

NAYS—Messrs. Clark, Gray, McColloch, Terry and Trimble—5.

So the resolution and amendment were indefinitely postponed.

On motion of Mr. Lemoyne, the resolution of the House proposing to make the standing committee on the penitentiary, of each house, a joint committee, was taken up and read, and

On his motion, it was concurred in by the Senate.

Mr. Terry's joint resolutions on federal relations were taken up and read the second time.

Mr. Carrigan offered the following as a substitute for said resolutions, to-wit:

SUB. FOR 2D.

Resolved, That the State of Arkansas being sovereign, and capable of judging of her rights and wrongs, and *not thinking* the election of Lincoln, of itself, a cause for the secession of the states from, nor a dissolution of the Union; and this General Assembly being chosen for the purpose of perpetuating, and not of destroying or dissolving the government, would impress upon the people a due forbearance, and especially would they urge the importance of taking no rash or inconsiderate steps, in the absence of an overt act on the part of the incoming administration.

SUB. FOR 3D.

Resolved, That while, as a sovereign state, Arkansas claims to be competent to judge and act for herself, independent of rash or ill-advised action on the part of her other sisters in the Union, if she defer to any, it would be more manly to follow the lead of the frontier slave states, which suffer most, and are more interested, rather than the precipitate action of states, less interested and further removed from the field of danger.

Which substitute was read, and, on motion of Mr. President, referred, with the original resolutions, to the committee on federal relations.

Mr. McCreery moved that the Senate adjourn until 10 o'clock to-morrow morning; which motion was lost.

Mr. Watkins moved to adjourn until 9½ o'clock to-morrow morning; which motion prevailed, and the Senate adjourned.

THOS. FLETCHER,
President.

THURSDAY, November 22d, 1860.

The Senate met pursuant to adjournment.

Roll called.

P R E S E N T :

Messrs. Belser, Carrigan, Clark, Craighead, Fagan, Gray, Lemoyne, McAlexander, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—21.

The journal of yesterday was read, approved and signed.

Message from the House of Representatives, by the clerk:

MR. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have passed House bill No. 28, to be entitled “an act amendatory of an act to remove the free negroes and mulattoes from this state, approved February 12th, 1859.

House bill No. 45, to be entitled “an act to incorporate the Iron Mountain and Helena railroad company.

House bill No. 34, to be entitled “an act to amend chapter 18, of Gould’s Digest, title, ‘attachment of boats, vessels,’ ” etc.

House bill No. 67, to be entitled “an act to amend the system of common schools for Drew, Franklin, Yell and Montgomery counties.

Said four bills are herewith transmitted for the assent of your honorable body, which is respectfully asked:

The House of Representatives have amended and concurred in, as amended, Senate joint resolution to go into the election of state treasurer on this day at 11 o’clock, a. m.

Said resolution, with the amendment, is herewith returned, with which amendment your honorable body, is respectfully asked to concur.

S. M. SCOTT, *Clerk of
House of Representatives.*

Petitions and memorials were in order.

Mr. Miller presented the petition of Calvin Hayes, signed by himself and 22 citizens of Franklin county, representing that he was a soldier in the war of 1812; that he located in 1821, his military bounty land warrant, for one hundred and sixty acres, on the NE. $\frac{1}{4}$ of section 19, T. 6. N., R. 11 W., in Conway county, on which taxes had accrued to the present time, and for the releasing of which taxes, he prays the General Assembly to pass an act, etc.

Which petition was read, and on motion of Mr. Miller, referred to the committee on claims.

Reports from standing committees were in order.

Mr. Oates, from the committee on the judiciary, made the following

REPORT:

MR. PRESIDENT—

The judiciary committee, to whom was referred House bill No. 20, to be entitled “an act to amend the law concerning the wearing of concealed weapons,” have had the same under consideration, and I am instructed to report the same back to the Senate and recommend its passage.

OATES, *Chairman.*

Which report was read and received.

On motion of Mr. Oates, the bill was read the third time and passed.

The following message was received from the governor:

MR. PRESIDENT—

I am instructed by the governor to inform your honorable body, that on the 20th day of November, 1860, he approved and signed joint resolution asking Congress to graduate the price of the lands in the odd numbered sections in the several railroad reservations in this state.

W. M. MATHENY,
Private Secretary.

November 22d, 1860.

Mr. Oates, further from the committee on judiciary, made the following

REPORT:

MR. PRESIDENT—

The judiciary committee, to whom was referred House bill No. 31, entitled “an act to pay the county and probate judge of Lafayette county, and to change the time of holding said court,” have considered the same, and I am instructed to report the same back to the Senate, and recommend its passage.

OATES, *Chairman.*

Which report was received, and the bill read for information.

Mr. Carrigan offered to amend section 1 of the bill by striking out the words, “five hundred dollars per annum,” and inserting in lieu thereof the words “not less than three hun-

dred nor more than five hundred dollars per annum, at the discretion of the county court."

Which amendment was, on motion of Mr. Carrigan, adopted.

On motion of Mr. Lemoyne, the bill was further amended by adding the counties of Conway and Yell to the provisions of the first section, in regard to the salary of judge of the county and probate courts.

On motion of Mr. Terry, the bill was read the third time, as amended, and Mr. Rosson called for the yeas and nays on its passage, which call was sustained, and ordered with the following result:

YEAS—Messrs. Belser, Carrigan, Clark, Craighead, Fagan, Gray, Jones, Lemoyne, McAlexander, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Terry and Mr. President—18.

NAYS—Messrs. Rosson, Trimble, Ward and Watkins—4.

So the bill passed.

Mr. Oates, further, from the committee on judiciary, made the following

REPORT:

Mr. PRESIDENT—

The judiciary committee, to which was referred Senate bill No. 4, entitled "an act for the benefit of Franklin county," together with an amendment, have had said bill and amendment under consideration, and have instructed me to report the same back to the Senate, and recommend the rejection of both the bill and amendment.

OATES, *Chairman.*

Which report was read and received.

On motion of Mr. Oates, the report was adopted, and the bill and amendment thereby rejected.

Mr. Fagan, from the committee on enrollments, made the following

REPORT:

Mr. PRESIDENT—

The committee on enrolled bills have examined "an act to authorize the county and probate judge of Carroll

county to cause to be transcribed the records of said county of Carroll, and to legalize the same when so transcribed," and have instructed me to report the same correctly enrolled.

FAGAN, *Chairman.*

Which report was read and received.

Mr. Mitchell, from the committee on memorials, made the following

REPORT:

Mr. PRESIDENT—

The committee on memorials, to whom was referred the petition of certain citizens of Franklin county, praying that Frederick Blackwell, a free born mulatto, be exempt from an act passed at the last session of the legislature of this state, entitled "an act to remove free negroes from this state," have had the same under consideration, and instruct me to report the petition back to the Senate, and recommend that the relief asked for be not granted.

MITCHELL, *Chairman.*

Which report was read, and, on motion of Mr. Watkins, adopted, and the prayer of the petitioners thereby rejected.

Mr. Carrigan, from the committee on internal improvements, made the following

REPORT:

Mr. PRESIDENT—

The committee on internal improvements, to whom was referred Senate bill No. 13, entitled "an act to aid the construction of the different railroads in the State of Arkansas," have had the same under consideration, and a majority of said committee have instructed me to report the same back, and recommend its passage.

CARRIGAN, *Chairman.*

Which report was received, and the bill read for information.

Mr. Lemoyne moved to amend the bill by striking out the word "five," wherever it occurred as referring to the number of miles of railroad to be completed, and insert the word "twenty."

After some discussion, the bill and amendment were, on motion of Mr. Oates, referred to the committee of the whole

Senate, and made the special order for the first Monday in December, at 11 o'clock, a. m.

On his further motion, one hundred copies of said bill with the amendment were ordered to be printed for the use of the Senate.

The introduction of bills was in order.

Mr. Carrigan introduced Senate bill (No. 28), to be entitled "an act to provide more fully for the incorporation of the town of Paraclifta."

Read the first time.

On motion of Mr. Carrigan, the rules were suspended, and the bill read the second time by title.

On his further motion, the blank in section 5 was filled with the words and figures as follows: "first Monday in January, 1861."

Mr. Oates offered to amend section 32 by adding this proviso, to-wit:

Provided, Said corporation shall pay the expenses of keeping the prisoners put in said jail by said corporation.

Which amendment was read, and, on motion of Mr. Carrigan, adopted.

On motion of Mr. Craighead, the bill was then referred to the committee on counties and county lines, upon a division—13 in the affirmative.

On motion of Mr. Ward, the amendment of the House to Senate resolution to go into the election of state treasurer this day, was taken up and concurred in by the Senate—said amendment changing the hour of such election from 11 o'clock, a. m., to 2½ o'clock, p. m.

Mr. Belser, from the committee on agriculture, made the following

REPORT:

Mr. PRESIDENT—

The committee, to whom was referred Senate bill No. 7, have had the same under consideration, and the com-

mittee have instructed me to report the bill back to the Senate, without amendment, and recommend its passage.

LAWRENCE H. BELSER, *Chairman*
of Committee on Agriculture.

Which report was received, and the bill read for information.

Mr. Craighead moved to postpone the consideration of the bill twenty days; which motion was discussed, but before a vote was taken thereon, Mr. Craighead withdrew the same for a recess; and, thereupon,

On motion of Mr. Terry, the Senate took a recess until 2½ o'clock, p. m.

At 2½ o'clock, the Senate convened.

Roll called.

P R E S E N T :

Messrs. Belser, Carrigan, Craighead, Davies, Douglas, Fagan, Gray, Lemoyne, McAlexander, McColloch, McCreery, Mecklin, Miller, Mitchell, Pennington, Rosson, Trimble, Ward, Watkins and Mr. President—20.

Message from the House of Representatives by their clerk:

Mr. PRESIDENT—

I am instructed to inform your honorable body, that the House of Representatives are now ready to receive your honorable body in their hall for the purpose of going into the election of a treasurer of the state.

S. M. SCOTT, *Clerk of*
House of Representatives.

On motion of Mr. Fagan, the Senate repaired to the hall of the House of Representatives; and being there seated the roll of the Senate was called by order of the President, when the following senators answered to their names:

Messrs. Belser, Carrigan, Clark, Craighead, Davies, Douglas,

Fagan, Gray, Lemoyne, McAlexander, McColloch, McCreery, Mecklin, Miller, Mitchell, Pennington, Rosson, Trimble, Ward, Watkins and Mr. President—21.

The roll of the House of Representatives was then called, by order of the Speaker, and it having appeared that there was a quorum of both houses present, the President of the Senate announced the object of the convention to be the election of a treasurer of the state, and stated that nominations were in order.

Mr. Gibson, of the House, nominated Sanford C. Faulkner.

Mr. Lewis, of the House, nominated Oliver Basham.

No other nomination being made, the rolls were called, when it appeared that on joint ballot, Sanford C. Faulkner had received 39 votes—8 in the Senate and 31 in the House; Oliver Basham 52 votes—13 in the Senate, and 39 in the House.

Those senators voting for Mr. Faulkner, were

Messrs. Belser, Craighead, Douglas, Fagan, Gray, McCreery, Mecklin and Mr. President—8.

Those senators voting for Mr. Basham, were

Messrs. Carrigan, Clark, Davies, Lemoyne, McAlexander, McColloch, Miller, Mitchell, Pennington, Rosson, Trimble, Ward and Watkins—13.

Whereupon, the President of the Senaté announced that Oliver Basham, having received a majority of all the votes cast, was duly and constitutionally elected treasurer of the State of Arkansas, for and during the term prescribed by the constitution and laws of the state.

The object of the convention having been accomplished, the Senate returned to their chamber.

Mr. Lemoyne moved to adjourn until 9 o'clock to-morrow morning.

Mr. McCreery moved to adjourn until 10 o'clock to-morrow morning; which motion, having precedence under the rules, was put first to the Senate, and lost.

Mr. Craighead then moved to adjourn until 9½ o'clock to-morrow morning; which motion, also having precedence, was put to the vote and carried.

So the Senate adjourned until 9½ o'clock to-morrow morning.

THOS. FLETCHER,
President.

FRIDAY, *November 23, 1860.*

The Senate met pursuant to adjournment.

Roll called.

P R E S E N T :

Messrs. Belser, Carrigan, Clark, Craighead, Davies, Douglas, Fagan, Gray, Jones, Lemoyne, McAlexander, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—24.

The journal of yesterday was read, approved and signed.

Petitions and memorials were in order.

Mr. McColloch presented the petition of J. P. Davis, representing that he is the holder of a piece of swamp land scrip, amounting to forty dollars, which is now barred from location by law; therefore he prays the passage of an act to revive said piece of scrip, and all other scrip barred by operation of existing law.

Which petition was read, and, on motion of Mr. McColloch, referred to the committee on swamp and overflowed lands.

Reports from standing committees were in order.

Mr. Rosson, from the committee on swamp and overflowed lands, made the following

R E P O R T :

Mr. PRESIDENT—

The committee upon swamp and overflowed lands,

to whom was referred the memorial of Nathaniel G. Smith, and accompanying papers, have had the same under consideration, and have instructed me to report the same back and recommend its rejection.

ROSSON, *Chairman.*

Which report was read, and on motion of Mr. Pennington, adopted, and the prayer of the memorialist thereby rejected.

Mr. Rosson, further from the committee on swamp and overflowed lands, made the following

REPORT:

MR. PRESIDENT—

The committee upon swamp and overflowed lands, to whom was referred House bill No. 4, have had the same under consideration, and have instructed me to report the same back and recommend its rejection.

ROSSON, *Chairman.*

Which report was received and the bill read for information.

Mr. Rosson moved to adopt the report, but after some discussion withdrew his motion, and the bill was, on motion of Mr. Lemoyne, recommitted to the committee on judiciary

Message from the House of Representatives by the clerk:

MR. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have passed House bill No. 63, to be entitled an act to enable overseers to collect fines off of delinquent road hands," and for other purposes.

Said bill is herewith transmitted for the assent of your honorable body, which is respectfully asked.

The House of Representatives have adopted proposed amendment to the constitution No. 1, relative to the jurisdiction of justices of the peace.

Said proposed amendment is herewith transmitted for the assent of your honorable body which is respectfully asked.

S. M. SCOTT, *Clerk of
House of Representatives.*

Mr. Watkins was called to the chair.

The introduction of bills was in order.

Mr. Douglas introduced Senate bill (No. 29,) to be entitled an

act to authorize the governor to make deeds to purchaser of bank lands.

Read first time.

On motion of Mr. Douglas, the rules were suspended, the bill read the second time, by title, and referred to the committee on judiciary.

Mr. Fagan introduced Senate bill No. 30, to be entitled an act concerning compensation to grand and petit jurors, and to witnesses in civil and criminal cases.

Read first time.

On motion of Mr. Clark, the rules were suspended, the bill read the second time by title, and on motion of Mr. Pennington, it was referred to the committee on the judiciary.

Mr. Davies introduced Senate bill (No. 31,) to be entitled an act to repeal section (19) nineteen, of chapter 99, of the Digest of 1858.

Read the first time.

On motion of Mr. Davies, the rules were suspended, the bill read the second time by title, and on his further motion, referred to the committee on judiciary.

Mr. President introduced Senate bill No. 32, to be entitled an act to reduce the State tax to one twelfth of one per cent. on the assessed value of all taxable property.

Read first time.

On motion of Mr. Trimble, the rules were suspended and the bill read the second time by title.

Mr. Rosson moved to amend the bill by striking out "one-twelfth" and inserting "one-eighth."

Mr. Trimble moved to amend the amendment by saying "one-fifteenth" instead of "one-eighth."

After some debate, the bill and amendments were, on motion of Mr. Rosson, referred to the committee on ways and means.

Mr. McColloch, from the committee on counties and county lines, made the following

REPORT:

MR. PRESIDENT—

The committee on counties and county lines to whom

was referred Senate joint resolution proposing to amend the constitution in regard to the formation of new counties, have had the same under consideration and recommend its rejection.

McCOLLOCH, *Chairman*.

Which report was read, and the resolution was also read for information.

Mr. McColloch moved to adopt the report, which motion was lost.

Mr. Lemoyne offered to amend the resolution by adding this proviso:

Provided, No county in this state now, or which may hereafter be established, shall be reduced to an area of less than six hundred square miles.

Mr. Watkins offered to amend the amendment by adding the following:

And in the establishment of a new county or counties, the line of said new county or counties, shall not run nearer than twelve miles to an already established county seat.

After some debate the resolution and both amendments were, on motion of Mr. Watkins, referred to the committee on counties and county lines.

No. 33. Mr. McAlexander, on leave, introduced Senate bill to be entitled an act amendatory of the laws concerning weights and measures, chapter 178 of Gould's Digest.

Read the first time.

On motion of Mr. McAlexander, the rules were suspended, the bill read the second time by title, and referred to the committee on ways and means.

No. 34. Mr. Davies introduced Senate bill to be entitled an act in reference to appeals in swamp land cases to the auditor.

Read the first time.

On motion of Mr. Davies, the rules were suspended, the bill read the second time by title, and referred to the committee on judiciary.

On motion of Mr. McCreery, Senate bill No. 7, to be entitled 'an act for the promotion of the agricultural and mechanical interests of this State,' was taken up.

Mr. Oates moved to postpone the consideration of the bill until the first Wednesday in December next.

Which motion was lost.

Mr. Ward offered the following amendment to the bill, to-wit:

Amend 2d line of sec. 1. by inserting after the word "any," the word "one."

Amend sec. 5. by adding at the end of the section as it now stands, "and no sum shall be appropriated except by a majority of the members of said society."

The treasurer of the society shall give bond to the State of Arkansas, with good security, in a sum at least double the amount that will come into his hands as such, to be approved by the county court in term time, or by the presiding judge thereof in vacation.

The appropriation draft shall state in detail the specific objects and purposes for which the money is drawn, and the person or committee who expends the same, shall report in full all expenditures, and a general report shall be made to the secretary of state on or before the first day of October in each even numbered year, to be by him laid before the General Assembly, all lands cultivated as vineyards, all imported horses, kine, hogs and sheep, for three years after being brought into the United States and this state, and the descendants of them to the second generation, shall be exempt from taxation.

Which amendment was read.

On motion of Mr. Rosson, the bill was recommitted with the amendment, to the committee on ways and means.

On motion of Mr. Fagan, the Senate adjourned until 9½ o'clock, to-morrow morning.

THOS. FLETCHER,

President.

SATURDAY, November 24th, 1860.

The Senate met.

Roll called.

P R E S E N T :

Messrs. Belser, Carrigan, Clark, Craighead, Davies, Douglas, Fagan, Gray, Jones, Lemoyne, McAlexander, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—24.

The journal of yesterday was read, approved and signed.

Petitions and memorials were in order.

Mr. Lemoyne presented the petition of twenty-three citizens of Perry county, representing that in consideration of the limited territory and thinly settled condition of said county, the General Assembly of 1850–51, passed an act making all sums arising from the estray law, payable to the treasurer of said county for county purposes, which act expired the 31st December, 1858, and representing that there is the same necessity for said act, therefore they pray that said act be revived, and extended to 31st December, 1864, with a provision that the common school commissioner of said county be required to refund to the county treasurer, all sums heretofore paid to said commissioner upon account of estrays since the 31st December, 1858, and that all sums arising from fines on criminal convictions, be given to said county in like manner.

Which petition was read, and on motion of Mr. Lemoyne, referred to the committee on judiciary.

Reports from standing committees were in order.

Mr. McColloch, from the committee on counties and county lines, made the following

REPORT:

MR. PRESIDENT—

The committee on counties and county lines, to whom was referred Senate bill No. 28, to be entitled an act to provide more fully for the incorporation of the town of Paraclifta, have had the same under consideration, and have recommended that the bill be passed.

McCOLLOCH, *Chairman.*

Which report was received, and on motion of Mr. McColloch, the bill was read the third time by title, and passed.

Mr. Mitchell, from the committee on memorials, made the following

REPORT:

MR. PRESIDENT—

The committee on memorials, to whom was referred Senate joint resolution for the establishment of certain mail routes in north-eastern Arkansas, have had the same under consideration, and recommend its passage.

MITCHELL, *Chairman.*

Which report was received.

On motion of Mr. Clark, the resolution was read the third time, and on motion of Mr. Davies, it was adopted.

The introduction of bills was in order.

No. 35. Mr. Gray introduced Senate bill, to be entitled "an act to amend an act to incorporate the Ouachita Conference Female College."

Read the first time.

On motion of Mr. Pennington, the rules were suspended, the bill read the second time by title, and,

On motion of Mr. Gray, it was referred to the committee on education.

Message from the House of Representatives by the clerk:

MR. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have passed House bill No. 69, to be entitled "an act to increase the amount of the bond of the treasurer and auditor of the State of Arkansas."

Said bill is herewith transmitted for the assent of your honorable body, which is respectfully asked.

Also, engrossed House bill No. 43, to be entitled "an act to incorporate the North-western Border railroad company."

Said bill is herewith transmitted for the assent of your honorable body, which is respectfully asked.

S. M. SCOTT, *Clerk of
House of Representatives.*

House bills on the first reading were in order.

House bill No. 28, to be entitled "an act amendatory to the act entitled an act to remove free negroes and mulattoes from this state, approved 12th February, 1859," was taken up and read the first time.

On motion of Mr. Terry, the rules were suspended, the bill read the second time by title, and,

On motion of Mr. Davies, referred to the committee on judiciary.

House bill No. 34, to be entitled "an act to amend chapter 18 of Gould's Digest, entitled attachments of boats, vessels," etc., was read the first time.

On motion of Mr. Carrigan, the rules were suspended, the bill read the second time by title, and,

On motion of Mr. Pennington, referred to the committee on judiciary.

House bill No. 43, to be entitled "an act to incorporate the North-western border railroad company," was read the first time.

On motion of Mr. Mecklin, the rules were suspended, the bill read the second time by title, and,

On motion of Mr. Clark, referred to the committee on internal improvements.

Mr. Terry was called to the chair.

House bill No. 63, to be entitled "an act to enable overseers to collect fines off of delinquent road hands, and for other purposes," was read the first time.

On motion of Mr. Pennington, the rules were suspended and the bill read the second time by title.

On motion of Mr. Davies, the rules were further suspended, and the bill read the third time.

Mr. Rosson moved to commit the bill to the judiciary committee; which motion prevailed.

Mr. Fagan, from the committee on enrollments, made the following

REPORT:

MR. PRESIDENT—

On the 23d day of November, the committee on enrolled bills caused to be presented to the governor, for his approval or rejection, "an act to authorize the county and probate judge of Carroll county to cause to be transcribed, the records of said county of Carroll, and to legalize the same when so transcribed."

FAGAN, *Chairman.*

Read and received.

House bill No. 67, to be entitled "an act to amend the common school system for Drew, Franklin, Yell and Montgomery counties, approved February 16, 1859," was taken up and read the first time.

On motion of Mr. President, the rules were suspended, the bill read the second time, by title, and

On motion of Mr. McColloch, referred to the committee on education.

House bill No. 69, to be entitled "an act to increase the amount of the bond of the treasurer and auditor of the State of Arkansas," was taken up and read the first time.

Mr. Davies moved to suspend the rules for the second reading of the bill.

Mr. Ward objected to a suspension of the rules.

Whereupon the President put the question to the Senate, and he same was lost on a division, two-thirds of the members not voting in the affirmative.

So the bill passed to the second reading under the rules.

House bill No. 45, to be entitled "an act to incorporate the Iron Mountain and Helena railroad company," was read the first time.

On motion of Mr. Oates, the rules were suspended, the bill read the second time by title; and

Mr. Craighead moved to print 50 copies of the bill for the Senate.

Mr. Belser offered to amend by saying "25 copies;" which amendment was accepted by Mr. Craighead, and thereupon the motion to print was adopted upon a division—10 voting in the affirmative, and 9 in the negative.

On motion of Mr. Oates, the bill was referred to the committee on internal improvements.

House joint resolution No. 1, to amend the constitution so as to give justices of the peace concurrent jurisdiction with judges of the circuit courts in this state, on all debts of contracts in writing, and signed by the parties, in any sum not exceeding \$300 dollars was taken up and read the first time.

A question arising as to the necessity of taking the yeas and nays on the first reading of the proposed amendment, the same was, on motion of Mr. President, postponed for the present.

Mr. President resumed the chair.

Senate bill No. 26, to be entitled "an act for the relief of Henry Jacobi," was taken up and read.

The bill being on its second reading, Mr. Terry moved to amend the first section by striking out the words "two hundred and six dollars and fifty cents," and inserting in lieu thereof, the words "six hundred and twenty-two dollars and fifty cents," in order to make the whole amount appropriated by the bill, eight hundred dollars, the amount appropriated by the second section being one hundred and seventy seven dollars and fifty cents.

Mr. Lemoyne moved to recommit the bill to the committee on public printing.

During the discussion on said motion, Mr. Lemoyne arose to speak the third time, when Mr. Watkins arose to a point of order, to-wit—that Mr. Lemoyne had already spoken twice to the question pending before the Senate; whereupon the President of the Senate put the question, whether the Senate would grant him leave to proceed, when Mr. Lemoyne demanded the yeas and nays thereon, which demand not being sustained, the President decided that the leave was not granted, and Mr. Lemoyne resumed his seat.

Mr. Belser moved by way of amendment, to the motion pending, to recommit the bill to the committee on claims, with the petition of said Henry Jacobi, and that the committee be instructed to report what amount has been paid to said Jacobi, for work done according to contract, and if any additional work was done, not mentioned in the contract, then the committee to report what is due said Jacobi, according to the terms of the contract, pro rata, for said additional work.

Which motion was adopted with the instructions.

On motion of Mr. Rosson, the Senate adjourned until 9½ o'clock Monday morning.

THOS. FLETCHER,

President.

MONDAY, November 26th, 1860.

The Senate met pursuant to adjournment.

Roll called.

P R E S E N T :

Messrs. Belser, Carrigan, Clark, Craighead, Davies, Douglas, Gray, Jones, Lemoyne, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Watkins and Mr. President—21.

The journal of Saturday was read, approved and signed.

Mr. Clark asked and obtained leave of absence for Mr. Ward, on account of sickness.

Motions and resolutions were in order.

Mr. Oates offered Senate joint resolution No. 9, to-wit:

Resolved by the Senate, (the House concurring), That a committee of three be appointed on the part of the Senate, to act with such committee as may be appointed on the part of the House, whose duty it shall be to enquire into the prices now paid for public printing—whether the rates now fixed by law are more than the same is worth, and that said committee is hereby instructed to report by bill or otherwise.

Read the first time.

On motion of Mr. Oates the rules were suspended, the resolution read the second time and adopted.

Mr. President appointed Messrs. Oates, Carrigan and McCreery, as the committee on the part of the Senate, under said resolution.

Mr. Douglas offered the following proposed amendment to the constitution:

That justices of the peace shall have concurrent jurisdiction with the circuit courts, in all cases sounding in damages, where the damages claimed by the plaintiff does not exceed one hundred dollars.

Said amendment was read the first time, and took its course under the requirement of the constitution.

House bills on their first and second readings were ordered up.

House bill No. 69, to be entitled "an act to increase the amount of the bond of the treasurer and auditor of the State of Arkansas," was taken up and read the second time, and took its course under the rule.

House joint resolution No. 1, to "amend the constitution so as to give justices of the peace concurrent jurisdiction with the judges of the circuit courts in this state, on all debts of contract reduced to writing, and signed by the parties, in any sum not exceeding three hundred dollars," was taken up and read.

Mr. President ordered the yeas and nays upon the amendment, and the roll was called.

Those senators voting favorably to the proposed amendment, were

Messrs. Clark, Davies, Douglas, Mecklin, Miller, Mitchell, Oates, Pennington, Terry, Trimble, Watkins and Mr. President—12.

Those voting in the negative, were

Messrs. Belser, Carrigan, Craighead, Gray, Lemoyne, McColloch, McCreery and Rosson—8.

So it was decided that the proposed amendment be rejected by the Senate, two-thirds thereof having failed to vote favorably to the same.

Message from the House of Representatives by the clerk:

Mr. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have passed House bill No. 74, to be entitled "an act for the relief of William Stephens, of Jefferson county."

Said bill is herewith transmitted for the assent of your honorable body, which is respectfully asked.

S. M. SCOTT, *Clerk*

of House of Representatives.

House bill No. 74, to be entitled "an act for the relief of William Stephens, of Jefferson county," was taken up and read the first time.

On motion of Mr. Pennington, the rules were suspended, the bill read the second time by title, and, on motion of Mr. Watkins, referred to the committee on judiciary.

No. 36. Mr. Belser, on leave, introduced Senate bill, to be entitled "an act for the relief of the people of Arkansas."

Read the first time.

On motion of Mr. Clark, the rules were suspended, the bill

read the second time by title, and referred to the committee on judiciary.

No. 37. Mr. Gray introduced Senate bill, to be entitled "an act to authorize the state treasurer to refund certain taxes, etc."

Read the first time.

On motion of Mr. Gray, the rules were suspended, the bill read the second time by title, and referred to the committee on education.

House resolution proposing to make the committees of each house on banks a joint committee, was taken up, read and concurred in by the Senate.

No. 38. Mr. Clark introduced Senate bill, to be entitled "an act to amend the road law."

Read the first time.

On motion of Mr. Clark, the rules were suspended, the bill read the second time by title; and,

On motion of Mr. Terry, referred to the committee on public roads.

On motion of Mr. Oates, the Senate adjourned until 9½ o'clock to-morrow morning.

THOS. FLETCHER,
President.

TUESDAY, November 27, 1860.

The Senate met pursuant to adjournment.

Roll called.

P R E S E N T :

Messrs. Belser, Carrigan, Clark, Craighead, Davies, Douglas, Gray, Jones, Lemoyne, McAlexander, McColloch, McCreery,

Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—23.

The journal of yesterday was read, approved and signed.

The orders of business were announced.

Reports from standing committees were in order.

Mr. Oates, from the committee on judiciary, made the following

REPORT:

Mr. PRESIDENT—

The judiciary committee, to which was referred Senate bill No. 34, entitled "an act in reference to appeals in swamp land cases to the auditor," have had the same under consideration, and have instructed me to report the same back to the Senate with the following amendment, and, as amended, to recommend its passage:

Amend last line of second section by striking out all after the word "judicial," and inserting in lieu thereof the word "investigation."

OATES, *Chairman.*

Which report was received.

On motion of Mr. Oates, the amendment was adopted; and,

On his further motion, the bill was read the third time as amended and passed.

The introduction of bills was in order.

No. 39. Mr. Terry introduced Senate bill, to be entitled "an act to incorporate the Merchants' and Planters' Insurance Company of Little Rock."

Read the first time.

On motion of Mr. Terry, the rules were suspended, the bill read the second time by title, and referred to the committee on memorials.

Mr. Oates was called to the chair.

No. 40. Mr. McColloch introduced Senate bill, to be entitled "an act concerning landlord and tenant."

Read the first time.

On motion of Mr. McColloch, the rules were suspended, the bill read the second time by title, and referred to the committee on judiciary.

No. 41. Mr. Pennington introduced Senate bill, to be entitled "an act to defend and protect the interests of the State of Arkansas in the swamp and overflowed land grant."

Read the first time, and

On motion of Mr. Pennington, the rules were suspended, the bill read the second time and referred to the committee on swamp and overflowed lands.

Message from the House of Representatives by the clerk:

Mr. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have adopted the following resolution.

Resolved, That, the Senate concurring, the two Houses of the General Assembly will proceed to the election of the United States Senator at 12 o'clock, m., on Tuesday 27th November, 1860.

Said resolution is herewith transmitted for the concurrence of your honorable body, which is respectfully asked.

The House of Representatives have adopted House joint resolution No. 8, proposed amendment to the constitution providing for the election of secretary of state, auditor of public accounts, treasurer of state, and an attorney general for the state, by the qualified voters of the state.

Said resolution is herewith transmitted for the concurrence of your honorable body, which is respectfully asked.

The House of Representatives have passed House bill No. 61, entitled "an act to prevent the importation into this state, as merchandize, of slaves who may have committed any felony or other infamous crime."

Said bill is herewith transmitted for the assent of your honorable body, which is respectfully asked.

S. M. SCOTT, *Clerk of*
House of Representatives.

The following message was received from the governor:

Mr. PRESIDENT—

I am instructed by the governor to inform your honorable body that, on the 26th day of November, 1860, he approved and signed "an act to authorize the county and probate judge of Carroll county to cause to be transcribed the records of said county of Carroll, and to legalize the same when so transcribed."

W. M. MATHENY,
November 27th, 1860. *Private Secretary.*

No. 42. Mr. President introduced Senate bill, to be entitled "an act to relieve the governor, and to provide more fully for carrying out the objects of the swamp land grant to the State of Arkansas."

Read the first time.

On motion of Mr. President, the rules were suspended, the bill read the second time by title, and referred to the committee on swamp and overflowed lands.

Message from the House of Representatives by the clerk:

Mr. PRESIDENT

I am instructed to inform your honorable body, that the House of Representatives have passed House bill No. 76, entitled "an act to incorporate a ferry privilege in Crittenden county."

Said bill is herewith transmitted for the assent of your honorable body, which is respectfully asked.

S. M. SCOTT, *Clerk of
House of Representatives.*

On motion of Mr. Fagan, the resolution of the House, proposing to go into the election of U. S. senator this day at 12 o'clock, m., was taken up and read,

Mr. Fagan called for the yeas and nays on the question to concur in said resolution; which call being sustained, was made with the following result:

YEAS—Messrs. Douglas, Fagan, Jones, Lemoyne, McAlexander, Mitchell, Rosson, Trimble and Watkins—9.

NAYS—Messrs. Belser, Carrigan, Clark, Craighead, Davies, Gray, McColloch, McCreery, Mecklin, Miller, Oates, Pennington, Terry, Ward and Mr. President—15.

So the Senate refused to concur in said resolution.

On motion of Mr. Ward, House bill No. 69, to be entitled "an act to increase the amount of the bond of the treasurer and auditor of the State of Arkansas," was taken up, and, being on the second reading, Mr. Ward offered to amend as follows:

Amend section 1 by adding after the words "is hereby required," the words "on or before the first day of February next," as applied to the treasurer elect—and, in default of filing such bond, on or before the 1st day of February aforesaid, then the forfeitures and penalties now provided by law shall attach—

and by adding, in lieu of "six hundred thousand," "*three hundred thousand.*"

Which amendments were read and adopted.

Mr. Davies moved to reconsider the vote on said amendments; which motion prevailed, and thereupon, on motion of Mr. Davies, the bill was referred to the committee on judiciary, with the amendments.

No. 43. Mr. Trimble introduced Senate bill, to be entitled "an act to allow the next General Assembly to act in convention for the purpose of changing certain portions of the constitution of the State of Arkansas."

Read the first time.

On motion of Mr. Trimble, the rules were suspended, the bill read the second time by title; and,

On his further motion, it was referred to the committee on judiciary, on a division—13 voting in the affirmative.

On motion of Mr. Craighead, House bill No. 76, to be entitled "an act to incorporate a ferry privilege in Crittenden county," was taken up and read the first time.

On motion of Mr. Craighead, the rules were suspended, and the bill read the second time by title; and,

On motion of Mr. Terry, it was referred to the committee on judiciary.

House bills on the first reading, were ordered up.

House bill No. 61, to be entitled "an act to prevent the importation into this state, as merchandise, of slaves who may have committed any felony, or other infamous crime," was taken up and read the first time.

On motion of Mr. Carrigan, the bill was rejected.

House joint resolution No. 8, proposing amendments to the constitution, was taken up, and

On motion of Mr. Rosson, the vote on each amendment was taken separately.

The first proposed amendment in said resolution, "That the qualified voters of this state shall elect a secretary of state who shall hold his office for two years, and until his successor is

electd and qualified;" was read, and the yeas and nays ordered on the first reading of the same.

Those senators voting favorably to said proposed amendment, were

Messrs. Clark, Davies, Douglas, McAlexander, McCreery, Pennington, Trimble, Watkins and Mr. President—9.

Those voting in the negative, were

Messrs. Belser, Carrigan, Craighead, Gray, Jones, Lemoyne, McColloch, Mecklin, Miller, Mitchell, Oates, Rosson, Terry, and Ward—14.

So the proposed amendment was rejected.

The second amendment, proposing "That the qualified voters of this state shall elect an auditor for the state;" was read and the yeas and nays ordered on the first reading thereof.

Those senators voting favorably to said proposed amendment, were

Messrs. Clark, Davies, Douglas, McAlexander, McCreery, Pennington, Trimble, Watkins, and Mr. President—9.

Those voting in the negative, were

Messrs. Belser, Carrigan, Craighead, Gray, Jones, Lemoyne, McColloch, Mecklin, Miller, Mitchell, Oates, Rosson, Terry and Ward—14.

So the amendment was rejected.

The third amendment, proposing "That the qualified voters of this state shall elect a treasurer for the state;" was then read and the yeas and nays ordered on the first reading of the same.

Senators voting for said amendment, were

Messrs. Clark, Davies, Douglas, McAlexander, McCreery, Pennington, Trimble, Watkins and Mr. President—9.

Those voting in the negative, were

Messrs. Belser, Carrigan, Craighead, Gray, Jones, Lemoyne, McColloch, Mecklin, Miller, Mitchell, Oates, Rosson, Terry and Ward—14.

So the proposed amendment was rejected.

The fourth proposed amendment was then read as follows:

That the last clause of section 13, article 6, title "Judicial

Department," be repealed, and the following substituted in its place, to-wit:

There shall be elected by the qualified voters of this state an attorney general for the state, who shall hold his office for the term of two years, and until his successor in office is duly elected and qualified. He shall be the chief law officer of this state, shall have his office at the seat of government, and shall perform such duties as may be required of him by law.

The yeas and nays were ordered on the first reading of said proposed amendment.

Those senators voting favorably to the same, were

Messrs. Clark, Davies, Douglas, McAlexander, McCreery, Mitchell, Pennington, Trimble, Watkins and Mr. President—10.

Those voting against the amendment, were

Messrs. Belser, Carrigan, Craighead, Gray, Jones, Lemoyne, McColloch, Mecklin, Miller, Oates, Rosson, Terry and Ward—13.

So the amendment was rejected.

On motion of Mr. Craighead, the Senate adjourned until 10 o'clock to-morrow morning.

THOS. FLETCHER,

President.

WEDNESDAY, *November 28th*, 1860.

The Senate met pursuant to adjournment.

Roll called.

P R E S E N T :

Messrs. Belser, Carrigan, Clark, Craighead, Davies, Douglas, Gray, Jones, Lemoyne, McAlexander, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—23.

Mr. Terry asked and obtained leave of absence for Mr. Fagan on account of sickness.

The journal of yesterday was read, approved and signed.

Petitions from counties were in order.

Mr. Watkins presented the petition of nine hundred citizens of Carroll county, representing that Alexander Burns, a free person of color, owns a small tract of land in said county, etc., and praying the passage of an act authorizing said Alexander Burns to return to Carroll county, and live upon the same, without complying with the act of the General Assembly, removing free negroes and mulattoes from this state.

Which petition was read, and on motion of Mr. Watkins, referred to the committee on judiciary.

Reports from standing committees were in order.

Mr. Oates, from the committee on judiciary, made the following

REPORT:

MR. PRESIDENT—

The judiciary committee, to which was referred House bill No. 69, to be entitled an act to increase the amount of the bond of the treasurer and auditor of the State of Arkansas, together with an amendment thereto, have had the same under consideration and have instructed me to report the same back to the Senate and to recommend the passage of the bill, with the following amendment.

Add after the words "is hereby required," in the first section of the bill "on or before the first day of February next."

OATES, *Chairman*,

Which report was read and received.

On motion of Mr. Oates, the amendment was adopted; and on his further motion the bill read the third time as amended and passed.

Mr. Oates, further from the committee on judiciary, made the following

REPORT:

MR. PRESIDENT—

The judiciary committee, to which was referred House bill No. 76, entitled "an act to incorporate a ferry privilege in Crittenden county," have had the same under consideration, and have instructed me to report the same back to the Senate, and recommend its passage.

OATES, *Chairman*.

Which report was read and received.

On motion of Mr. Oates the bill was read the third time and passed.

Message from the House of Representatives, by the clerk:

Mr. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have passed the following House bills, to-wit:

No. 81, to be entitled "an act to change the name of Mary Alice Miller to Mary Alice Milor, etc.

No. 84, to be entitled an act to authorize the clerk of the circuit court of White county to transcribe certain records.

No. 85, to be entitled an act to extend the provisions of the act to provide for making and repairing levees in Desha and Phillips counties, approved 16th February, A. D. 1859, to the county of St. Francis.

House bill No. 86, to be entitled an act to change the time of holding the probate court of the county of Yell.

Said four bills are herewith transmitted for the assent of your honorable body, which is respectfully asked.

S. M. SCOTT, *Clerk,*
House of Reps.

Mr. Davies, from the committee on claims made the following

REPORT:

Mr. PRESIDENT—

The committee on claims, to whom was referred Senate bill No. 26, for the relief of Henry Jacobi, have had the same under consideration and have instructed me to report the same back to the Senate, with an amendment, and as amended to recommend its passage. That is to say, strike out the words "two hundred and six dollars and fifty cents," in the first section, and insert in lieu thereof "four hundred and fifty dollars."

The committee further report that according to the evidence before the committee said Jacobi took the contract to bind Gould's Digest at 90 cents per volume, and has been paid for binding 3500 copies thereof, \$3,150. That at the time said Jacobi bid for said contract he was assured that said Digest would contain 1200 pages, when in fact, it contained 1400 pages; consequently said Jacobi is entitled to the sum of four hundred and fifty dollars, in addition to what he has already been paid for binding said Digest.

That said Jacobi folded and stitched the geological reports

which he was not bound to do by the terms of his contract and this committee agree with the committee on public printing that said Jacobi should be paid the sum of \$117 50 for such folding and stitching.

DAVIES, *Chairman.*

Which report was read and received.

On motion of Mr. Terry, the amendment proposed by the committee was adopted on a division—17 voting in the affirmative and 3 in the negative.

On motion of Mr. Davies, the bill was read the third time as amended, when Mr. Rosson demanded the yeas and nays on its passage, which demand being sustained, the roll was called with the following result:

YEAS—Messrs. Belser, Clark, Craighead, Davies, Douglas, Gray, Jones, Lemoyne, McAlexander, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Terry, Trimble, and Mr. President—19.

NAYS—Messrs. Carrigan, Rosson, Ward and Watkins—4.

So the bill passed.

Mr. Rosson, from the committee on swamp and overflowed lands, made the following

REPORT:

Mr. PRESIDENT—

The committee upon swamp and overflowed lands, to whom was referred House bill No. 40, to be entitled an act for the relief of Preston M. Anderson, have had the same under consideration, and have instructed me to report the same back and recommend its passage.

ROSSON, *Chairman.*

Report read and received.

On motion of Mr. Rosson, the bill was read the third time and passed.

Mr. McColloch moved to reconsider the vote of yesterday, rejecting the proposed amendments of the House to the constitution, to make the auditor, treasurer, secretary of state and attorney general, elective by the qualified voters of the state.

Which motion was lost on a division—9 in the affirmative and 11 in the negative.

Mr. Terry moved that the Senate adjourn until 9½ o'clock to-morrow morning, which motion prevailed on a division—11 voting in the affirmative and 9 in the negative.

THOS. FLETCHER,
President.



THURSDAY, *November 29th*, 1860.

The Senate met pursuant to adjournment.

Roll called.

P R E S E N T :

Messrs. Askew, Belser, Carrigan, Clark, Craighead, Davies, Douglas, Gray, Jones, Lemoyne, McAlexander, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—24.

The journal of yesterday was read, approved and signed.

Reports from standing committees were in order.

Mr. Douglas, from the committee on public roads, made the following

R E P O R T :

MR. PRESIDENT—

The committee on public roads, to whom was referred Senate bill No. 38, entitled “an act to amend the road law,” have had the same under consideration, and have instructed me to report the bill back to the Senate without amendment, and recommend its rejection.

DOUGLAS, *Chairman.*

Which report was read, and on motion of Mr. Douglas, adopted; and the bill thereby rejected.

Mr. Carrigan, from the committee on internal improvements, made the following

REPORT:

MR. PRESIDENT—

The committee on internal improvements, to whom was referred House bill No. 43, to be entitled an act to incorporate the north-western border railroad company, have had the same under consideration, and have instructed me to report the same back and recommend its passage.

CARRIGAN, *Chairman*.

Which report was read and received.

On motion of Mr. Carrigan, the bill was read the third time and passed.

Mr. Carrigan, further from the committee on internal improvements, made the following

REPORT:

MR. PRESIDENT—

The internal improvement committee, to whom was referred House bill No. 45, to be entitled "an act to incorporate the iron mountain and Helena railroad company, have had the same under consideration, and have instructed me to report the same back with an amendment, and recommend its passage.

CARRIGAN, *Chairman*.

AMENDMENT:

Sec. 17, that this charter shall continue for the term of ninety-nine years, and at the end thereof, all the corporate privileges hereby granted shall cease and determine.

On motion of Mr. Carrigan, the amendment was adopted, and on his further motion, the bill was read the third time and passed as amended.

Mr. Lemoyne was called to the chair.

No. 43. Mr. President introduced Senate bill to be entitled an act to incorporate the Arkansas cashmere, shawl, goat and general stock raising company.

Read the first time.

On motion of Mr. President, the rules were suspended, the bill read the second time by title, and referred to the committee on agriculture.

On motion of Mr. McCreery, House bill No. 84, to be entitled

“an act to authorize the clerk of the circuit court of White county, to transcribe certain records,” was taken up and read the first time.

On motion of Mr. McCreery, the rules were twice suspended, the bill read the second and third times by title, and passed.

House bills on the first reading were ordered up.

House bill No. 81, to be entitled an act to change the name of Emma Alice Miller, to Emma Alice Milor, and constitute her an heir of Volney V. Milor, of Sebastian county, was read the first time.

On motion of Mr. McColloch, said bill was rejected.

House bill No. 85, to be entitled an act to extend the provisions of an act entitled an act to provide for making and repairing levees in Desha and Phillips counties, approved 16th February, A. D., 1859, to the county of St. Francis, was read the first time.

On motion of Mr. McColloch, the rules were suspended, the bill read the second time by title, and on motion of Mr. Watkins, it was referred to the committee on swamp and overflowed lands.

House bill No. 86, to be entitled an act to change the time of holding the probate court of the county of Yell, was read the first time.

On motion of Mr. Rosson, the rules were twice suspended, the bill read the second and third times by title, and passed.

Senate proposed amendment to the constitution to the effect “that justices of the peace shall have concurrent jurisdiction with the circuit courts in all cases sounding in damages where the damage claimed by the plaintiff does not exceed one hundred dollars,” was taken up and being on its first reading, the yeas and nays were ordered with the following result:

Those senators voting favorably to said amendment, were Messrs. Clark, Davies, Douglas, Gray, Jones, McAlexander, McColloch, McCreery, Mecklin, Mitchell, Pennington, Rosson, Trimble, Ward, Watkins and Mr. President—16.

Those voting in the negative, were

Messrs. Askew, Belser, Carrigan, Craighead, Lemoyne, Miller, Oates and Terry—8.

The question arising as to whether two-thirds of the entire Senate or two-thirds of a quorum were necessary under the constitution, to vote for a proposed amendment thereto, the same was debated by Messrs. Askew and Oates in favor of the former construction, and Mr. Clark in favor of the latter.

The question being submitted to the President for his decision, Mr. Lemoyne yielded the chair to him for that purpose, whereupon the President stated that in view of precedents and with the lights before him, he decided that seventeen votes or two-thirds of the entire Senate were necessary to propose an amendment to the constitution, and no appeal was taken from his decision.

Mr. Carrigan moved to reconsider the vote just taken on the first reading of the proposed amendment, which motion prevailed on a division—13 voting in the affirmative and 9 in the negative.

Whereupon the proposed amendment was ordered to be laid over for the present.

Message from the House of Representatives by the clerk:

Mr. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have passed House bill No. 104, to be entitled an act making appropriation for the contingent fund of the executive department.

Said bill is herewith transmitted for the assent of your honorable body, which is respectfully asked.

S. M. SCOTT, *Clerk of
House of Representatives.*

No. 44. Mr. Davies introduced Senate bill to be entitled an act to incorporate the Pocahontas and Gainesville Male and Female Colleges.

Read the first time.

On motion of Mr. Davies, the rules were suspended, the bill read the second time by title, and referred to the committee on education.

House bill No. 104, to be entitled "an act making an appropriation for the contingent fund of the executive department," was taken up and read the first time.

On motion of Mr. Rosson, the rules were suspended, and the bill read the second time.

Mr. Davies moved to suspend the rules for the third reading of the bill, which motion was lost on a division, two-thirds not voting therefor.

On motion of Mr. Craighead, the bill was referred to the committee on ways and means.

On motion of Mr. Craighead, the Senate adjourned until 9½ o'clock, to-morrow morning.

THOS. FLETCHER,
President.

FRIDAY, *November 30th*, 1860.

The Senate met.
Roll called.

PRESENT:

Messrs. Askew, Belser, Carrigan, Clark, Craighead, Davies, Douglas, Gray, Lemoyne, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President.—22.

Mr. Davies asked and obtained leave of absence for Mr. McAlexander, on account of sickness.

The journal of yesterday was read, approved and signed.
Petitions, memorials, etc., were in order.

Mr. Terry presented the following account:

STATE OF ARKANSAS:

	To T. D. MERRICK,	Dr.
For expenses for inauguration as follows:		
Band of music.....		\$50 00
Powder for salute and cartridges.....		11 20
Moving guns from and to the Arsenal.....		2 00
Carriage hire.....		15 00
Cash sundry expenses.....		2 00
Nov., 1860.		\$80 20

On motion of Mr. Terry, said account was referred to the committee on claims.

Reports from standing committees were in order.

Mr. Oates, from the committee on judiciary, made the following

REPORT:

MR. PRESIDENT—

The judiciary committee to which was referred Senate bill No. 40, to be entitled an act concerning landlord and tenant, have had the same under consideration, and have instructed me to report the same back to the Senate with the following amendments, and as amended, to recommend its passage.

1st. Amend by striking out in the 2d section, all after the word "found," in the seventh line of said section.

2d. Amend by striking out the third section.

OATES, *Chairman*.

Said report was read and received.

On motion of Mr. Oates, the first amendment was adopted, and on his further motion, the second amendment was also adopted.

On the further motion of Mr. Oates, the bill was read the third time as amended, and passed.

Mr. Oates, further from the committee on judiciary, made the following

REPORT:

MR. PRESIDENT—

The judiciary committee to which was referred Senate bill No. 29, entitled a bill to be entitled an act to authorize the governor to make deeds to purchasers of bank lands, have had the same under consideration, and have instructed me to report the same back to the Senate without any action thereon, and to request that the same be referred to the committee on banks.

OATES, *Chairman*.

Which report was read and adopted.

On motion of Mr. Oates, the bill was referred to the committee on banks.

Mr. Oates, further from the committee on judiciary, made the following

REPORT:

MR. PRESIDENT—

The judiciary committee to which was referred Senate bill No. 30, entitled "an act concerning compensation to grand and petit jurors and witnesses in civil and criminal cases," have considered the same, and have instructed me to report the same back to the Senate and recommend its rejection.

OATES, *Chairman*.

Which report was received; and on motion of Mr. Oates, the bill was postponed for the present.

Mr. Oates, further from the committee on judiciary, made the following

REPORT:

MR. PRESIDENT—

The judiciary committee, to which was referred Senate bill No. 31, to be entitled "an act to repeal section 19, chapter 99 of the Digest of 1858," have had the same under consideration, and I am instructed to report the same back to the Senate and recommend its rejection.

OATES, *Chairman*.

Which report was received, and after some discussion, the bill was, on motion of Mr. Askew, recommitted to the committee on judiciary.

Mr. Oates, further from the committee on judiciary, made the following

REPORT:

MR. PRESIDENT—

The judiciary committee, to which was referred House bill No. 63, to be entitled "an act to enable overseers to collect fines off of delinquent road hands and for other purposes," have had the same under consideration and have instructed me to report the same back to the Senate and recommend its rejection.

OATES, *Chairman*.

Which report was read, and on motion of Mr. Rosson, adopted, and the bill thereby rejected.

Mr. Oates, further from the committee on judiciary, made the following

REPORT:

MR. PRESIDENT—

The judiciary committee, to which was referred House bill No. 74, to be entitled an act for the relief of William Stephens, of Jefferson county, have had the same under consideration and have instructed me to report the same back to the Senate and recommend its rejection.

OATES, *Chairman.*

Mr. Rosson moved to adopt the report.

Mr. Watkins was called to the chair.

Mr. President moved to recommit the bill just reported back to the committee on judiciary; which motion was lost.

Thereupon, the report was adopted and the bill thereby rejected.

Mr. Lemoyne from the committee on judiciary, made the following

REPORT:

MR. PRESIDENT—

The judiciary committee, to whom was referred the petition of Perry county, to revive an act for the benefit of said county, has had the same under consideration and requested me to report a bill for said county, which is herewith respectfully submitted.

LEMOYNE.

Which report was received, and the bill (No. 45) to be entitled an act to revive an act passed by the General Assembly of this state, in 1850 and '51, was read the first time.

On motion of Mr. Oates, the rules were twice suspended, the bill read the second and third times, by title, and passed.

Message from the House of Representatives, by the clerk:

MR. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have passed the following House bills, to-wit:

No. 77, to be entitled an act for the relief of N. B. Mabry and Nathaniel Ragan; also

No. 94, to be entitled an act to make Thomas P. Day, a minor, of full age; also

No. 96, to be entitled an act to authorize the county court of

Benton county, Arkansas, to appoint a tax collector for the year 1860, also

No. 99, to be entitled an act to ratify and make valid an act approved 10th of January, 1857, changing the name of the Crawford Institute to Wallace Institute, also

No. 101, to be entitled an act to incorporate the Arkansas Cashmere Shawl Goat and general stock raising company; also

No. 102, to be entitled an act to legalize the record of certain marriage certificates in the county of Poinsett.

Said six bills are herewith transmitted for the assent of your honorable body which is respectfully asked.

The House of Representatives have assented to the following Senate bills, viz:

Senate bill No. 5, to be entitled an act to consolidate the Hampton Male and Female Academies; also

Senate bill No. 27, to be entitled an act to authorize J. S. Mayberry, administrator of R. D. Owen, deceased, to sell certain land in the county of Arkansas.

Said two bills are herewith returned.

S. M. SCOTT, *Clerk of*
House of Representatives.

The introduction of bills was in order.

No. 46. Mr. Miller introduced Senate bill to be entitled an act in reference to costs in suits before justices of the peace.

Read the first time.

On motion of Mr. Oates, the rules were suspended, the bill read the second time, by title; and

On motion of Mr. Miller, referred to the committee on judiciary.

No. 47. Mr. Terry introduced Senate bill to be entitled an act to authorize the issuance of swamp land scrip in certain cases.

Read the first time.

On motion of Mr. Terry, the rules were suspended, the bill read the second time, by title, and referred to the committee on swamp and overflowed lands.

On motion of Mr. Miller, House bill No. 99, to be entitled an act to ratify and make valid an act approved the 10th day of January, 1857, changing the name of the Crawford Institute to the Wallace Institute," was taken up and read the first time.

On motion of Mr. Miller, the rules were twice suspended, the bill read the second and third times by title and passed.

House bills on first reading were ordered up.

House bill No. 77, to be entitled "an act for the benefit of N. B. Mabry, of Conway, and Nathaniel Ragan, of Arkansas county, was taken up and read the first time.

On motion of Mr. Lemoyne, the rules were suspended, the bill read the second time, by title; and

On motion of Mr. President, it was referred to the committee on memorials.

House bill No. 94, to be entitled "an act to make Thomas P. Day, a minor, of full age," was taken up and read the first time.

On motion of Mr. Davies said bill was rejected.

House bill No. 96, to be entitled "an act to authorize the county court of Benton county Arkansas to appoint a tax collector for the year 1860," was taken up and read the first time.

On motion of Mr. Douglas, the rules were suspended and the bill read the second time.

Mr. Douglas moved a further suspension of the rules, but on motion of Mr. Terry, the bill was referred to the committee on judiciary.

House bill No. 101, to be entitled "an act to incorporate the Arkansas Cashmere Shawl Goat and general stock raising company;" was taken up and read the first time.

On motion of Mr. President, the rules were suspended, the bill read the second time, by title, and referred to the committee on agriculture.

House bill No. 102, to be entitled "an act to legalize the record of certain marriage certificates in the county of Poinsett;" was taken up and read the first time.

On motion of Mr. Davies, the rules were suspended, the bill read the second time, by title; and

On motion of Mr. President, it was referred to the committee on judiciary.

Mr. President resumed the chair.

On motion of Mr. Askew, the Senate adjourned until 9½ o'clock, to-morrow morning.

THOS. FLETCHER,

President.

SATURDAY, *December 1st*, 1860.

Senate met pursuant to adjournment.

Roll called.

P R E S E N T :

Messrs. Askew, Belser, Carrigan, Clark, Craighead, Davies, Douglas, Gray, Lemoyne, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—22.

The Journal of yesterday was read, approved and signed.

Motions and resolutions were in order.

Mr. Pennington offered the following

RESOLUTION:

Resolved, That the governor be requested to ascertain and report to the Senate the precise tracts and number of acres of land along the line of the Cairo and Fulton railroad, that are claimed by said company, and also selected, reported and claimed by the State of Arkansas, under act of Congress of September, 28th, 1850.

Which resolution was read, and on motion of Mr. Craighead amended, by inserting the words "and all other railroads in this state," after the words Cairo and Fulton.

The resolution, was then read as amended, and adopted on a division—9 voting in the affirmative and 8 in the negative.

Mr. Askew gave notice that he would on Monday next, or as soon thereafter as convenient, introduce a bill, the object of which will be to equalize the races between the African and black republican, coming from either of the states who have in their legislative capacity nullified the constitution and the laws passed thereunder.

Reports from standing committees were in order.

Mr. Watkins, from the committee on ways and means made the following

REPORT:

Mr. PRESIDENT—

The committee on ways and means, to whom was referred Senate bill No. 33, to be entitled an act amendatory of the law concerning weights and measures, have had the same under

consideration and instruct me to report it back to the Senate and recommend its passage.

WATKINS, *Chairman.*

Which report was received, and the bill ordered to take its course under the rules.

Mr. Mitchell, from the committee on enrollment, made the following

REPORT:

Mr. PRESIDENT—

The committee on enrolled bills have examined the enrollments of the following acts:

“An act to consolidate the Hampton Male and Female Academies.” And “an act to authorize J. S. Mayberry, administrator of R. D. Owen, deceased, to sell certain land in the county of Arkansas.”

And have instructed me to report the same correctly enrolled.

MITCHELL, *Chairman*
pro tem of Committee on Enrollment.

Which report was read and received.

Mr. Clark, from the committee on education, made the following

REPORT:

Mr. PRESIDENT—

The committee on education, to whom was referred House bill No. 67, to be entitled “an act to amend the common school system for Drew, Franklin, Yell and Montgomery counties,” have had the same under consideration, and have instructed me to report the same back to the Senate, and recommend its passage.

CLARK, *Chairman.*

Which report was received, and on motion of Mr. Clark, the bill read the third time and passed.

Mr. Clark, further from the committee on education, made the following

REPORT:

Mr. PRESIDENT—

The committee on education, to whom was referred Senate bill No. 9, to be entitled “an act to authorize the state treasurer to refund certain taxes,” have had the same under

consideration, and have instructed me to report the same back to the Senate and to recommend its passage.

CLARK, *Chairman*.

Which report was received; and

On motion of Mr. Clark, the bill was read the third time and passed.

Mr. Davies, from the committee on claims, made the following

REPORT:

MR. PRESIDENT—

The committee on claims, to whom was referred Senate bill No. 25, "for the relief of James B. Simpson," have had the same under consideration, and have instructed me to report the same back to the Senate, asking that this bill be referred to the committee on banks, for further consideration, as the bill will more fully and properly come before them.

J. F. DAVIES, *Chairman*.

Which report was read; and

On motion of Mr. Oates, adopted, and the bill referred to the committee on banks.

Mr. Davies, further from the committee on claims, made the following

REPORT:

MR. PRESIDENT—

The committee on claims, to whom was referred the petition from sundry citizens of Franklin county, asking for relief to Coleman Hayes, of said county, have had the same under consideration, and have instructed me to report adversely to the petition, as revenue is necessary to defray the expenses of this government.

J. F. DAVIES, *Chairman*.

Which report was read, and

On motion of Mr. Davies, adopted, and the prayer of the petitioners thereby rejected.

Mr. Watkins from the committee on ways and means, made the following

REPORT:

MR. PRESIDENT—

The committee on ways and means, to whom was

referred House bill No. 54, to be entitled "an act for the relief of Charles D. Leavitt, of Desha county," have had the same under consideration, and a majority of the committee instructed me to report it back to the Senate, and recommend its rejection.

WATKINS, *Chairman.*

Which report was read, and

On motion of Mr. Rosson, adopted, and the bill thereby rejected.

No. 48. Mr Davies, on leave, introduced Senate bill, to be entitled "an act for the relief of Linn Boyd, Richard E. Allen and George W. and Wm. F. Norton of the State of Kentucky.

Read the first time.

On motion of Mr. Davies, the rules were suspended, the bill read the second time by title, and referred to the committee on the judiciary.

On motion of Mr. Terry, the Senate adjourned until 9½ o'clock Monday morning.

THOS. FLETCHER,

President.

MONDAY, *December 3d*, 1860.

Senate met pursuant to adjournment.

Roll called.

P R E S E N T :

Messrs. Askew, Belser, Carrigan, Clark, Craighead, Davies, Douglas, Fagan, Gray, Lemoyne, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—23.

The journal of Saturday was read, approved and signed.

Mr. Lemoyne asked and obtained leave of absence for Mr. Jones, on account of sickness.

Petitions and memorials were in order.

Mr. Pennington presented the petition of numerous citizens of this State, recommending to the favorable consideration of the General Assembly, the Arkansas Institute for the Blind at Arkadelphia, and praying an appropriation sufficient to place said institute upon a permanent basis.

Which petition was read, and on motion of Mr. Pennington, referred to the committee on education.

Mr. Fagan presented the petition of sixteen citizens of Saline county, representing that Sarah Milliner, widow of John C. Milliner, deceased, late of said county, some years after the death of her said husband, intermarried with one Beverly C. Ransom, now deceased; that she had, by the said John C. Milliner, two children, Mary Elizabeth, and Susan Francis; that some time after the marriage of the said Sarah Milliner to said Beverly C. Ransom, she also departed this life, without issue by him; that the said Beverly C. Ransom left four or five thousand dollars worth of property, and the said Sarah about fifteen hundred dollars worth of personal property; that the said Beverly C. had no heirs, or relatives, as can be heard of, etc., therefore they pray the passage of an act vesting said estate in the said Mary Elizabeth and Susan Frances Milliner, or the amount of fifteen hundred dollars at least.

Which petition was read, and on motion of Mr. Fagan, referred to the committee on memorials.

Mr. Clark presented the separate statements of Andrew Beal and Duke Marlow, of Sebastian county, subscribed and sworn to by them, representing that in November, 1859, they made and signed their declarations and affidavits to pre-empt certain lands in said county, by reclamation, which declarations and affidavits they entrusted to one George Spear, to be sent to the land agent at Clarksville; that they went on to ditch and reclaim said lands, procured the proof of reclamation, as required by law, which they forwarded to the auditor and obtained his certificates for the entry of said lands, which they forwarded to the land agent, but which were returned with the indorsement that no pre-emption had been filed; that they have been informed that said lands were offered at public sale, and that one Sarah

Clark, or John Carnall purchased the same; which statements were accompanied by the affidavit of George Spear, and of Cooper Hase and Thomas Doyle, and by the certificates of the auditor; all of which were read, and

On motion of Mr. Clark, referred to the committee on claims.

Mr. Gray presented the petition of the commissioned and non-commissioned officers of the Princeton light horse company, representing that said company numbers between forty five and fifty members, is now organized and drilled monthly, that they are without arms and equipments, necessary to render them effective, therefore they pray the General Assembly to provide for furnishing them with such arms as are usually worn by cavalry companies, etc.

Which petition was read, and

On motion of Mr. Gray, referred to the committee on militia.

Mr. Oates, presented the following resolutions, adopted by a mass meeting of the people of Phillips county:

Inasmuch as, in the present threatening aspect of public affairs, common sense as well as patriotism dictate, that every community in the South should speak out their views:

We, the people of Phillips county, in mass meeting assembled, Entertaining the hope that our rights in the Union may yet be maintained, and believing that, in any event, the time is now upon us, when a good understanding and united action among all the southern states can and ought to be brought about, resolve, as follows, viz:

Resolved, That it is our deliberate conviction, that the legislature of Arkansas, now in session, ought to take prompt action toward bringing about the proposed southern convention, and should, forthwith, pass the legislation necessary to have Arkansas faithfully represented therein.

Resolved, That our legislature ought, forthwith, to take some official action, to induce South Carolina, and the more hasty of our southeastern sister states, to join in with, and abide the well considered action of a southern convention.

Resolved, That, as a basis to such united action, and as an inducement thereto, our representatives should go to such convention, instructed to demand for each and every southern state all her constitutional rights in the Union, or failing in this, an Independent Southern Confederacy out of it.

Resolved, That a copy of these resolutions be immediately forwarded, by the secretary of this meeting, to our senator and representatives in the state legislature, and they are hereby

requested to use their efforts to carry into effect the spirit and intention thereof.

Which resolutions were read; and,

On motion of Mr. Oates, referred to the committee on federal relations.

Mr. McCreery offered Senate joint resolution No. 10, to-wit:

JOINT RESOLUTIONS *concerning the Cairo and Fulton railroad company.*

Be it resolved by the General Assembly of the State of Arkansas, That the governor be, and he is hereby authorized and required, immediately, to appoint three commissioners, whose duty it shall be to ascertain and make report to him, in writing, as soon as practicable, showing,

1st. What quantity of lands enured to the Cairo and Fulton railroad company, under the grant made by Congress, and the legislation of this state in relation thereto.

2d. What part of said lands have been disposed of by said company, its agents or trustees, and under what authority, for what consideration, and what disposition has been made of the proceeds.

3d. What are the total available assets of the said company, exclusive of lands and their proceeds; what have been the total expenses of said company up to the date of such report, and on what accounts; and what progress, if any, has been made, at the same date, in constructing the Cairo and Fulton railroad.

2. *Be it further resolved,* That the books and papers of said company shall be open to the inspection of said commissioners; and said commissioners shall have power to send for persons and papers, to take testimony of witnesses, and cause a record thereof to be kept, and any person testifying falsely before said commissioners, shall be deemed guilty of perjury, and punishable therefor as now provided by law, and any person refusing to testify before said commissioners shall be deemed guilty of a misdemeanor, and, on conviction, shall be fined not less than one hundred nor more than five hundred dollars.

3. *Be it further resolved,* That the report of said commissioners shall be printed, and three thousand copies thereof distributed among the people of this state, under directions of the governor.

4. *Be it further resolved,* That the compensation of each of said commissioners shall be at the rate of three dollars per day for each day of actual service, to be stated by each in his written affidavit, and approved by the governor, and thereupon the auditor shall issue his warrant on the treasury therefor, and

the same shall be paid out of any money in the treasury not otherwise appropriated.

Read the first time.

On motion of Mr. McCreery, the rules were suspended, the resolution read the second time by caption, and referred to the committee on judiciary.

Reports from standing committees were in order.

Mr. Oates, from the committee on judiciary, made the fol-

REPORT:

Mr. PRESIDENT—

The judiciary committee, to which was referred the petition of eight or nine hundred citizens and voters of Carroll county, praying the General Assembly to pass a law by which Alexander Burns, a mulatto, may return to his farm in said county of Carroll, without being subject to the penalty of the law against free persons of color, have had the same under consideration, and being unable to agree thereon, have instructed me to report the same back to the Senate, and ask to be discharged from its further consideration.

OATES, *Chairman.*

Mr. Oates moved to reject the petition, but, on request of Mr. Watkins, withdrew his motion.

Whereupon, on motion of Mr. Watkins, the report was adopted, and the committee thereby discharged from the further consideration of said petition.

Mr. Watkins, from the committee on ways and means, made the following

REPORT:

Mr. PRESIDENT—

The committee on ways and means, to whom was referred House bill No. 104, to be entitled "an act making appropriation for the contingent fund of the executive department," have had the same under consideration, and instruct me to report it back to the Senate, and recommend its passage.

WATKINS, *Chairman.*

Which report was received, and, on motion of Mr. Watkins, the bill read the third time and passed.

Mr. Clark, from the committee on education, made the following

REPORT :

Mr. PRESIDENT—

The committee on education, to whom was referred the petition of certain citizens, asking the legislature to pass an act to incorporate the Arkadelphia Female College, have had the same under consideration, and have instructed me to report the accompanying bill, in compliance with the prayer of said petition, to be entitled “an act to incorporate the Arkadelphia Female College,” and to recommend its passage.

CLARK, *Chairman.*

Which report was received, and the accompanying bill, to be entitled “an act to incorporate the Arkadelphia Female College,” was read the first time.

On motion of Mr. Pennington, the rules were twice suspended, the bill read the second and third times, by title, and passed.

Mr. Clark, further, from the committee on education, made the following

REPORT:

Mr. PRESIDENT—

The committee on education, to whom was referred House bill No. 39, to be entitled “an act to repeal an act passed at the last session of the legislature, entitled ‘an act for the benefit of the Princeton Male and Female Academy.’” approved 3d February, 1859, have had the same under consideration, and have instructed me to report the same back to the Senate, and to recommend its rejection.

CLARK, *Chairman.*

Said report was received, and Mr. Clark moved its adoption; which motion was lost.

Whereupon, on motion of Mr. Gray, the bill was read the third time and passed.

Mr. Fagan, from the committee on enrollments, made the following

REPORT:

Mr. PRESIDENT—

I have the honor to report that, on 3d December,

1860, I handed to the governor, for his approval or rejection, "an act to authorize J. S. Mayberry, admr. of R. D. Owen, deceased, to sell certain land in the county of Arkansas."

Also, "an act to consolidate the Hampton Male and Female Academies."

FAGAN, *Chairman*

Committee on Enrollments.

Which report was read and received.

Mr. President announced that the hour of 11 o'clock had arrived, for which the Senate had made Senate bill No. 13, to be entitled "an act to aid the construction of the different railroads in the State of Arkansas," the special order.

Whereupon, on motion of Mr. Oates, the Senate resolved itself into the committee of the whole to consider of said bill; Mr. Oates being called to the chair.

After some time spent in deliberation, the committee arose, and, through their chairman, reported progress, but not having completed the business before them, asked leave to sit again at 11 o'clock, to-morrow morning.

Which report was, on motion of Mr. Fagan, adopted, and the leave granted.

On motion of Mr. Mitchell, the Senate adjourned till 9 ½ o'clock, to-morrow morning.

THOS. FLETCHER,

President.

TUESDAY, *December 4*, 1860.

The Senate met pursuant to adjournment.

Roll called.

P R E S E N T :

Messrs. Askew, Belser, Carrigan, Clark, Craighead, Davies,

Douglas, Fagan, Gray, Lemoyne, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—23.

The journal of yesterday was read, approved and signed.

Petitions from counties were in order.

Mr. Gray presented the petition of A. R. Banks, Le Roy Morris, W. L. Somerville, and others, recommending to the favorable consideration of the General Assembly, the Arkansas Institute for the Blind, at Arkadelphia, and praying an appropriation sufficient to place said institute upon a permanent basis.

Which petition was read, and, on motion of Mr. Gray, referred to the committee on education.

Mr. Gray presented the petition of forty-one citizens of Hot Spring county, representing that they reside at considerable distance from Rockport, the county site of said county, thereby making it inconvenient for them to attend to the transaction of their county business, and praying that their portion of said county be annexed to Dallas county.

Which petition was read, and, on motion of Mr. Gray, referred to the committee on counties and county lines.

Reports from standing committees were in order.

Mr. Oates, from the committee on judiciary, made the following

REPORT:

MR. PRESIDENT—

The judiciary committee, to which was referred House bill No. 36, entitled "an act to provide for the election of a tax collector in Phillips county," have had the same under consideration, and have instructed me to report the same back to the Senate, with an amendment, and, as amended, to recommend its passage.

Amend by adding at the close of the 3d section, "to be paid out of the several funds collected, in proportion to the amount thereof."

OATES, Chairman.

Which report was received, and, on motion of Mr. Oates, the amendment was adopted.

On further motion of Mr. Oates, the bill was read the third time, as amended, and passed.

Mr. Clark, from the committee on education, made the following

REPORT:

Mr. PRESIDENT—

The committee on education, to whom was referred Senate bill No. 44, to be entitled "an act to incorporate the Pocahontas and Gainesville Male and Female College," have had the same under consideration, and have instructed me to report the same back to the Senate, and recommend its passage.

CLARK, *Chairman.*

Which report was read, and on motion of Mr. Davies, the bill was read the third time by title, and passed.

Mr. McColloch, from the committee on counties and county lines, made the following

REPORT:

Mr. PRESIDENT—

The committee on counties and county lines to whom was referred Senate joint resolution and amendments thereto as a proposed amendment to the constitution, have had the same under consideration, and a majority of said committee have instructed me to report the same back to the Senate and recommend its rejection.

McCOLLOCH, *Chairman.*

Which report was received, and action thereon by the Senate postponed for the present.

Message from the House of Representatives by the clerk:

Mr. PRESIDENT—

I am instructed to inform your honorable body that the House has concurred in Senate resolution No. 9, in regard to public printing.

The committee on the part of the House, consist of Messrs Killgore, Jones of Pike, Nolan, Key and Van Patten.

Said resolution is herewith returned.

The House of Representatives have concurred in Senate amendment to House bill No. 45, entitled an act to incorporate the Iron Mountain and Helena railroad company.

The House of Representatives have assented to Senate bill No. 23, entitled an act authorizing the clerk of Lawrence county to transcribe certain records.

Said bill is herewith returned.

The House of Representatives have passed the following House bills, viz:

No. 111, to be entitled an act to provide for the registration of scrip of Independence county, and for other purposes..

No. 118, to be entitled an act to legalize the administration of the estate of P. M. Johnsen, deceased.

No. 120, to be entitled an act to repeal an act preventing the sale of school lands in certain cases, so far as Marion county is concerned.

No. 122, to be entitled an act for the relief of David O. Kyle, of Ouachita county.

No. 124, to be entitled an act to repeal an act entitled an act to further amend the charter of Helena.

No. 125, to be entitled an act to exempt Polk county from the operation of an act entitled an act to prevent the sale of spirituous liquors and wines to the Indians, and to make the laws of this state conform in this behalf as near as may be to the act of Congress entitled an act to regulate trade and intercourse with the Indian tribes and to preserve peace on the frontier, approved January 15th, 1857.

No. 126, entitled an act to authorize Thomas Linton to take possession of the tax books of J. L. Linton, late sheriff of Pope county, and collect the taxes due on said books.

No. 105, to be entitled an act to amend an act entitled an act to authorize Desha and Mississippi counties to levy and collect a road tax, approved 13th day of January, 1857.

Said eight House bills are herewith transmitted for the assent of your honorable body, which is respectfully asked.

S. M. SCOTT, *Clerk of
House of Representatives.*

Mr. Askew, from the committee on judiciary, made the following

REPORT:

MR. PRESIDENT—

The judiciary committee to which was referred Senate bill No. 46, to be entitled an act in reference to costs in suits before justices of the peace, have had the same under consideration, and instructed me to report the accompanying substitute for the original bill and to recommend its passage.

ASKEW, *Chairman pro tem.*

Which report was read and the substitute was read the first time as follows:

A BILL *to be entitled an act to authorize justices of the peace to issue fee bills.*

SECTION 1. *Be it enacted by the General Assembly of the State of Arkansas, That justices of the peace may issue fee bills for costs, being governed by the law in force authorizing courts of record in this state to issue fee bills.*

On motion of Mr. Oates, the substitute was adopted in lieu of the original bill, and read the second time by suspension of the rules.

On motion of Mr. Clark, the rules were further suspended, the bill read the third time by title, and passed.

Mr. Askew, further from the judiciary committee, made the following

REPORT:

MR. PRESIDENT—

The judiciary committee, to which was referred House bill No. 34, to be entitled an act to amend chapter 18, of Gould's Digest, entitled attachment of boats, vessels, etc., have had the same under consideration, and instructed me to report the same back and recommend its passage.

ASKEW, *Chairman.*

Which report was read, and on motion of Mr. Watkins, the bill was read the third time and passed.

Mr. Askew, further from the judiciary committee, made the following

REPORT:

MR. PRESIDENT—

The judiciary committee to which was referred Senate bill No. 43, to be entitled an act to allow the next General Assembly to act in convention for the purpose of changing certain portions of the constitution of the State of Arkansas, have had the same under consideration, and instructed me to report the same back and recommend its rejection.

ASKEW, *Chairman.*

Which report was received, and by request of Mr. Clark, the Senate postponed action thereon for the present.

The introduction of bills was in order.

No. 51. Mr. Terry introduced Senate bill to be entitled an act to preserve the public documents of Arkansas, for the benefit of each county in this state.

Read the first time.

On motion of Mr. Terry, the rules were suspended, and the bill read the second time by title.

Mr. Terry moved to refer said bill to the committee on public printing, which motion was lost.

Mr. Trimble moved its reference to the committee on ways and means, which motion was lost.

Mr. Carrigan then moved to refer the bill to the committee on federal relations, which motion was also lost.

Whereupon, on motion of Mr. Askew, the bill was rejected.

No. 52. Mr. Fagan introduced Senate bill to be entitled an act for the relief of John D. Adams.

Read the first time.

On motion of Mr. Fagan, the rules were suspended, the bill read the second time by title, and referred to the committee on swamp and overflowed lands.

No. 53. Mr. Pennington introduced Senate bill to be entitled an act to adopt the Arkansas Institute for the blind, located at Arkadelphia, and to endow the same.

Read the first time.

On motion of Mr. Pennington, the rules were suspended, the bill read the second time by title, and referred to the committee on education.

No. 54. Mr. Watkins introduced Senate bill to be entitled an act to prescribe the duties of the courts of this state in relation to amendments.

Read the first time.

On motion of Mr. Watkins, the rules were suspended, the bill read the second time by title, and referred to the committee on judiciary.

No. 55. Mr. Davies, introduced Senate bill to be entitled an act to establish separate courts of chancery, and for other purposes.

Read the first time.

On motion of Mr. Davies, the rules were suspended, and the bill read the second time by title.

Mr. Davies moved to print fifty copies of the bill, on which motion, Mr. Carrigan demanded the yeas and nays, which demand being sustained, the roll was called, with the following result:

YEAS—Messrs. Askew, Clark, Davies, Gray, McColloch, McCreery, Oates, Pennington, Trimble, Ward and Mr. President.—11.

NAYS—Messrs. Belser, Carrigan, Craighead, Douglas, Fagan, Lemoyne, Mecklin, Miller, Mitchell, Rosson, Terry and Watkins—12.

So the motion to print was lost, and thereupon, on motion of Mr. Davies, the bill was referred to the committee on judiciary.

No. 56. Mr. Carrigan introduced Senate bill to be entitled an act for the relief of John W. Williams, of Hempstead county, Arkansas.

Read the first time.

On motion of Mr. Carrigan, the rules were suspended, the bill read the second time by title, and referred to the committee on claims.

No. 57. Mr. McColloch introduced Senate bill to be entitled an act to extend the right of pre-emptions to 160 acres of the swamp and overflowed lands to 320 acres.

Read the first time.

On motion of Mr. McColloch, the rules were suspended, the bill read the second time by title, and referred to the committee on swamp and overflowed lands.

House bills on their first reading were ordered up.

House bill No. 105, to be entitled an act to amend an act entitled an act to authorize Desha and Mississippi counties to levy and collect a road tax, approved the 13th day of January, 1857, was taken up and read the first time.

On motion of Mr. Davies, the rules were suspended, the bill

read the second time by title and referred to the committee on public roads.

House bill No. 118, to be entitled "an act to legalize the administration of the estate of P. M. Johnson, deceased, was taken up and read the first time.

On motion of Mr. Davies, the rules were suspended, the bill read the second time, by title, and referred to the committee on judiciary.

House bill No. 120, to be entitled "an act preventing the sale of school lands in certain cases, so far as Marion county is concerned," was taken up and read the first time.

On motion of Mr. Mitchell, the rules were suspended, the bill read the second time, by title, and referred to the committee on education.

House bill No. 122, to be entitled "an act for the relief of David O. Ryle, of Ouachita county," was taken up and read the first time.

On motion of Mr. MColloch, the rules were suspended, the bill read the second time by title, and referred to the committee on judiciary.

The hour of 11 o'clock having arrived, the Senate, on motion of Mr. Fagan, resolved itself into the committee of the whole to resume the consideration of Senate bill No. 13, to be entitled "an act to aid the construction of the different railroads in the State of Arkansas." Mr. Oates taking the chair.

After some time spent in the deliberation, the committee arose, and through their chairman, reported progress, but not having finished the business before them, asked leave to sit again on to-morrow at 10 o'clock, a. m.

Which report was adopted and the leave granted.

The following messages were received from the governor:

Mr. PRESIDENT—

I am instructed by the governor to inform your honorable body, that, on the 4th day of December, 1860, he approved and signed "an act to consolidate the Hampton Male and Female Academies."

W. M. MATHENY,
Private Secretary.

December 4th, 1860.

On motion of Mr. Fagan, the Senate adjourned until 9½ o'clock to-morrow morning.

THOS. FLETCHER,
President.

WEDNESDAY, December 5, 1860.

The Senate met pursuant to adjournment.

Roll called.

P R E S E N T :

Messrs. Askew, Belser, Carrigan, Clark, Davies, Douglas, Fagan, Gray, Lemoyne, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—22.

The journal of yesterday was read, approved and signed.

Petitions and memorials were in order.

Mr. Carrigan presented the petition of John D. Kimbell, as administrator of the estate of Henry J. Kimbell, deceased, representing that said deceased, in his lifetime, entered the N. W. ¼ and N. E. fr. ¼ of section 8, in township 14, S. R. 26 West, for which he paid \$145 swamp land scrip at the land agents office at Washington, that said land was ascertained to be sold to Daniel E. Williams and James McDaniel, when said deceased presented his original certificate of entry to the land agent at Washington, and took a refunding certificate for the scrip, upon which the auditor refuses to issue his warrant; therefore, said petitioner prays the passage of an act authorizing and requiring the auditor to issue his warrant on said refunding certificate for said scrip.

Said petition was accompanied by a bill (No. 58,) to be entitled "an act to refund to the administrator of the estate of Hen-

ry J. Kimbell, deceased, a certain amount of swamp land scrip erroneously paid by said deceased, for the entry of lands which the state had previously sold;" which was read the first time.

On motion of Mr. Carrigan, the rules were suspended, the bill read the second time, by title, and with the petition and accompanying papers, referred to the committee on swamp and overflowed lands.

Motions and resolutions were in order.

Mr. Davies offered the following

RESOLUTION:

Resolved, That the governor be, and he is hereby requested to report to the Senate the amount of levee and ditch work under contract, and not yet paid for, in each of the swamp land districts.

Read, and on motion of Mr. Davies adopted.

On motion of Mr. Mecklin, the name of Mr. Ward was added to the committee on education.

Reports from standing committees were in order.

Mr. Mitchell, from the committee on memorials, made the following

REPORT:

Mr. PRESIDENT—

The committee on memorials, to whom was referred the petition of sundry citizens of Saline county, have examined the same, and as the granting or rejecting the prayer thereof involves questions of law, have instructed me to report the same back and respectfully request that it be referred to the committee on the judiciary for their consideration.

MITCHELL, *Chairman*.

Which report was read and adopted; and

On motion of Mr. Mitchell, the petition was referred to the committee on judiciary.

Mr. Mitchell, further from the committee on memorials made the following

REPORT:

Mr. PRESIDENT—

The committee on memorials to which was referred

House bill No. 77, for the relief of N. B. Mabry and Nathaniel Ragan, have had the same under consideration, and being unable to agree, have instructed me to report the same back to the Senate and ask to be discharged from further consideration of said bill.

MITCHELL, *Chairman*.

Said report was read, and on motion of Mr. Fagan adopted, and the committee thereby discharged from further consideration of the bill.

The bill was read for information.

Mr. Carrigan was called to the chair.

Mr. Rosson moved to amend the bill so as to except Van Buren county from the provisions of the same.

Mr. Lemoyne called for the yeas and nays.

Call sustained and made with the following result:

YEAS—Messrs. Belser, Carrigan, Clark, Davies, Douglas, Fagan, Gray, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—20.

Mr. Lemoyne voted in the negative.

So the motion to amend prevailed.

Mr. Oates moved to amend the bill by striking out Monroe county.

Mr. Terry moved to reject the bill and amendment.

Mr. Lemoyne demanded the yeas and nays on said motion.

Which demand was sustained and the roll called with the following result:

YEAS—Messrs. Belser, Carrigan, Douglas, Fagan, Mecklin, Miller, Mitchell, Oates, Rosson, Terry, Trimble, Ward and Watkins—13.

NAYS—Messrs. Clark, Davies, Gray, Lemoyne, McColloch, McCreery, Pennington and Mr. President—8.

So the bill and amendment were rejected.

Mr. President resumed the chair and announced that the hour of 10 o'clock had arrived, when the Senate had agreed to go into the committee of the whole to resume the consideration of Senate bill No. 13, to be entitled an act to aid the construction of the different railroads in the State of Arkansas.

Whereupon, on motion of Mr. Carrigan, the Senate resolved itself into the committee of the whole to resume the consideration of said bill.

Mr. Oates taking the chair.

After some time spent in deliberation, the committee arose, and, through their chairman, reported that they had adopted the following amendments to the bill and, as amended, they recommend its passage—

Amendments:

Provided, That the Little Rock and Fort Smith branch of the Cairo and Fulton railroad company shall be, and is hereby required to commence the grade and work on said road at the junction where said road intersects the Cairo and Fulton railroad, on the north side of the Arkansas river.

And provided further, That before any money be drawn from the treasury, under the provisions of this act, satisfactory evidence shall be filed with the governor, that the work done or claimed to be done, upon any railroad route, has been actually performed, and that the work so done, is equal in all respects, to similar work on first class railroads, to be ascertained by the certificate of a competent engineer, appointed for that purpose.

That nothing in this act shall be so construed as to have a retrospective action.

Said report was received; and

On motion of Mr. Oates, the bill was ordered to be engrossed and the further consideration of the same postponed until Monday next, at 10 o'clock a. m.

Mr. Fagan, from the committee on enrollments, made the following

REPORT:

Mr. PRESIDENT—

The committee on enrolled bills have examined the enrollment of "an act to authorize the clerk of the circuit court of Lawrence county to transcribe certain records of his office," and have instructed me to report the same correctly enrolled.

FAGAN, *Chairman.*

Read and received.

Mr. Trimble, from the joint standing committee on auditor's and treasurer's books, made the following

REPORT.

Mr. PRESIDENT—

The joint committee on auditor's and treasurer's books, have performed so much of the duties assigned them, as relates to the books and files in the auditor's office, of which they have made a thorough examination; comparing them carefully with the vouchers and the reports of both auditor and treasurer presented to this General Assembly. The committee find them entirely correct, the additions very accurate; and cheerfully bear testimony to the faithful and able manner in which that officer has discharged the complex and onerous duties of his office.

Your committee have carefully examined and compared all the entries, and additions in the auditor's office, in relation to swamp lands, and swamp land scrip, and warrants; and find them to be correct, and the books properly kept.

The manner in which the books, files, vouchers and papers are kept, reflect credit upon the auditor and his efficient clerks. The system adopted being such, that the condition of all state lands, and the financial condition of the state can be ascertained in a few moments.

Respectfully submitted,

J. S. TRIMBLE,

Chairman on the part of the Senate.

ALEX. McLEAN,

Chairman on the part of the House.

Which report was read, and, on motion of Mr. Clark, adopted; and, on his further motion, 300 copies ordered to be printed.

Message from the House of Representatives by their clerk:

Mr. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have adopted a resolution to go into the election of United States senator on Thursday, 6th December, 1860, with the concurrence of the Senate.

Said resolution is herewith transmitted for the concurrence of your honorable body, which is respectfully asked.

The House of Representatives have assented to Senate bill No. 1, entitled "an act to incorporate the Helena Home Insurance Company."

Said bill is herewith returned.

The House of Representatives have passed House bill No. 48, to be entitled "an act to aid the citizens of Mountain township, in Washington county, Arkansas, in suppressing the sale of spirituous and vinous liquors in said township."

Also, House bill No. 49, to be entitled "an act to abolish the office of land attorney and state collector."

Said two House bills are herewith transmitted for the assent of your honorable body, which is respectfully asked.

S. M. SCOTT, *Clerk of*
House of Representatives.

Mr. Terry moved to suspend the regular order of business to take up House resolution proposing to go into the election of U. S. senator on Thursday, the 6th of December; which motion was lost.

Mr. Clark, from the committee on education, made the following

REPORT:

Mr. PRESIDENT—

The committee on education, to whom was referred Senate bill No. 35, entitled "an act to amend an act to incorporate the Ouachita Conference Female College," have had same under consideration, and have instructed me to report the same back to the Senate, and recommend its passage.

CLARK, *Chairman.*

Which report was received: and

On motion of Mr. Gray, the bill was read the third time and passed.

The introduction of bills was in order.

No. 59. Mr. Pennington introduced Senate bill, to be entitled "an act to permit certain free negroes to remain in this state a sufficient length of time to pay their debts."

Read the first time.

On motion of Mr. Pennington, the rules were suspended, the bill read the second time by title, and,

On motion of Mr. Davies, it was referred to the committee on judiciary.

Mr. Watkins, from the committee on ways and means, made the following

REPORT:

Mr. PRESIDENT—

The committee on ways and means, to whom was referred Senate bill No. 24, entitled "an act to establish a lunatic asylum in this state, and to provide for the support and comfort of lunatics," have had the same under consideration for

some time, and the committee, not being able to agree upon said bill, have instructed me to report the same to the Senate, and ask to be discharged from further consideration of the same.

WATKINS, *Chairman*.

On motion of Mr. Trimble, the report was adopted, and the committee thereby discharged, as requested.

On motion of Mr. Lemoyne, the bill was then referred to a select committee of three.

Mr. President appointed, as such committee, Messrs. Lemoyne, Fagan and Miller.

No. 60. Mr. Terry introduced Senate bill, to be entitled "an act authorizing the purchase of a culvert for Old river, in Pulaske county."

Read first time.

On motion of Mr. Terry, the rules were suspended, the bill read the second time by title, and referred to the committee on swamp and overflowed lands.

On motion of Mr. McColloch, House bill No. 49, to be entitled "an act to abolish the office of land attorney and state collector," was taken up and read the first time.

On motion of Mr. McColloch, the rules were suspended, the bill read the second time by title, and referred to the committee on judiciary.

House bills on their first reading, were ordered up.

House bill No. 48, to be entitled "an act to aid the citizens of Mountain township, in the county of Washington, and State of Arkansas, in suppressing the sale of spirituous and vinous liquors in said township," was taken up and read the first time.

On motion of Mr. Mecklin, the rules were suspended, the bill read the second time by title, and referred to the committee on education.

House bill No. 111, to be entitled "an act to provide for the registration of scrip of Independence county, and for other purposes," was taken up and read the first time.

On motion of Mr. Trimble, the rules were suspended, the bill read the second time by title, and referred to a select committee of three.

Mr. President appointed as such committee, Messrs. Trimble, Clark and Belser.

The following message was received from the governor:

MR. PRESIDENT—

I am instructed by the governor to inform your honorable body, that on the 6th day of November last, William W. Floyd, Theodoric F. Sorrells, William W. Leake, and George W. Taylor, were elected and returned by the State of Arkansas, in accordance with law, electors for President and Vice President of the United States. In case either or all of said electors chosen, fail to meet at the seat of government; by 2 o'clock, on the first Wednesday in December next, following their appointment, the law provides, that the legislature, if in session, shall elect some one to fill the vacancy or vacancies, and being advised that Theodoric F. Sorrells, one of said electors, has not arrived in Little Rock, up to this hour, 10 a. m., it is the duty of the governor; thus to inform your honorable body, and recommend that the two houses of the General Assembly meet in joint session at 2 o'clock of this day, and then proceed to elect an elector to fill the said vacancy, if it still exists at that hour.

W. M. MATHENY,
Private Secretary.

December 5th, 1860.

Mr. Oates offered the following

RESOLUTION:

Resolved, That the two houses of the General Assembly will meet in joint convention, at 2 o'clock this afternoon, to elect a presidential elector, in the place of T. F. Sorrells, if said vacancy exists at that hour.

Read, and on motion of Mr. Terry, adopted.

On motion of Mr. Rosson, the secretary transmitted said resolution to the House forthwith.

House bills on their first reading were resumed.

House bill No. 124, to be entitled "an act to repeal an act entitled an act to further amend the charter of Helena, and for other purposes," was taken up and read the first time.

On motion of Mr. Oates, the rules were suspended, the bill read the second time by title, and

On motion of Mr. Davies, it was referred to the committee on judiciary.

House bill No. 125, to be entitled "an act to exempt Polk county from the operation of an act to prevent the sale of spirituous liquors and wines to the Indians, and to make the laws of this state conform, in this behalf, as near as may be, to the act of Congress, entitled 'an act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontier,'" approved January 15th, 1857, was taken up and read the first time.

On motion of Mr. Pennington, the rules were suspended, the bill read the second time by title, and referred to the committee on judiciary.

House bill No. 126, to be entitled "an act to authorize Thomas Linton, of Pope county, to take possession of the tax book of J. L. Linton, late sheriff of said county, and collect the taxes due on said book," was taken up and read the first time.

On motion of Mr. Ward, the rules were suspended, the bill read the second time by title; and

On motion of Mr. Pennington, referred to the committee on judiciary.

Mr. Ward moved to reconsider the vote referring said bill; which motion prevailed, and thereupon, on his further motion, the rules were again suspended, the bill read the third time and passed.

Senate bills were ordered up.

Senate bill No. 30, entitled "an act concerning compensation to grand and petit jurors, and to witnesses in civil and criminal cases," was taken up and read, and the report of the judiciary committee, recommending the rejection of the bill was adopted, which rejected the same.

On motion of Mr. Craighead, the Senate adjourned until 9½ o'clock to-morrow morning.

THOS. FLETCHER,
President.

THURSDAY, *December 6th*, 1860.

The Senate met pursuant to adjournment.

Roll called.

P R E S E N T :

Messrs. Askew, Belser, Carrigan, Clark, Craighead, Davies, Douglas, Fagan, Gray, Lemoyne, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—23.

The journal of yesterday was read, approved and signed.

Motions and resolutions were in order.

Mr. Terry moved that the door-keeper be requested to prepare the Senate chamber for the use of a dancing party to be given by members of the legislature this evening.

Messrs. Carrigan, Davies and Douglas opposed the motion.

Mr. Askew offered the following resolution as an amendment to Mr. Terry's motion:

Resolved, That the Senate chamber is tendered to the ladies of Little Rock, for any laudable purposes for which they may choose to occupy the same.

Mr. Terry offered the following as a substitute to Mr. Askew's amendment, and in lieu of his original motion:

Resolved, That the door-keeper be allowed to prepare the Senate chamber for the reception of the ladies and their friends, for a legislative hop, this evening at 8 o'clock.

Mr. Lemoyne offered the following substitute for Mr. Terry's resolution:

Resolved, That the Senate chamber be tendered to the senators and representatives, who design giving a party this evening to the citizens of Little Rock.

Mr. Terry, on leave, withdrew his resolution, and thereupon the resolution offered by Mr. Lemoyne was substituted in lieu of the one offered by Mr. Askew.

Mr. Rosson then moved to adopt the resolution so substituted, when Mr. Davies demanded the yeas and nays thereon, and the demand being sustained, the roll was called, with the following result:

YEAS—Messrs. Askew, Belser, Clark, Craighead, Fagan, Gray,

Lemoyne, McColloch, McCreery, Miller, Mitchell, Oates, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—18.

NAYS—Messrs. Carrigan, Davies, Douglas and Pennington, —4.

Mr. Mecklin asked to be, and was excused from voting.

So the resolution offered by Mr. Lemoyne was adopted.

Mr. Oates offered the following

RESOLUTION:

Resolved, That the Senate and House of Representatives will meet in convention on Saturday, the 8th inst., at 11 o'clock, a. m., for the purpose of electing an auditor of state.

Read the first time.

On motion of Mr. Rosson, the rule was suspended, the resolution read the second time, and on motion of Mr. Terry, adopted.

Mr. Gray offered the following

RESOLUTION:

Resolved, That the Secretary of the Senate be, and he is hereby authorized and directed to purchase one copy of Langtree's sectional map of this state, for the use of the Senate.

Read, and on motion of Mr. Terry adopted.

On motion of Mr. Terry, the resolution of the House, proposing to go into the election of U. S. Senator this day, at 11 o'clock, a. m., was taken up and read.

Mr. Terry moved to concur in the resolution.

Mr. Askew moved to amend by striking out "6th day," and inserting "20th of December," which motion prevailed on a division—14 voting in the affirmative, and 4 in the negative.

Thereupon, the resolution, as amended, was concurred in by the Senate.

Message from the House of Representatives, by the clerk:

MR. PRESIDENT—

I am instructed to inform your honorable body, that the House of Representatives have amended Senate bill No. 10, entitled "an act to incorporate the Des Arc, Dardanelle and Fort Smith railroad company," and assented to said bill as amended.

Said bill is herewith returned, and the amendments, trans-

mitted for the concurrence of your honorable body, which is respectfully asked.

The House of Representatives have passed House bill No. 117, to be entitled "an act to increase the bond of county treasurers."

Also, House bill No. 79, to be entitled "an act to amend section 1, of chapter 112, of Gould's Digest, under the head of mechanics.

Said two bills are herewith transmitted for the assent of your honorable body, which is respectfully asked.

S. M. SCOTT, *Clerk of
House of Representatives.*

The following message was received from the governor:

MR. PRESIDENT—

I am instructed by the governor to inform your honorable body, that on the 5th day of December, 1860, he vetoed "an act to authorize J. S. Mayberry, administrator of R. D. Owen, deceased, to sell certain land in the county of Arkansas," and returns the bill with the following objections, to-wit:

Having passed both houses of the General Assembly, and being presented to me for approval, I feel constrained, from its provisions, and the duty, at all times incumbent upon me to support, as I understand them, the constitution of the United States, and the constitution of the State of Arkansas, to return the bill.

The 5th article of the amendments to the constitution of the United States provides, "that no person shall be deprived of life, liberty, or property, without due process of law." The legal representatives of R. D. Owen, the decedent mentioned in this bill, upon his death, became fully and exclusively vested with the title to the land described in the act, to be divested only by the act of the owner, or by due process of law, that is, by the judicial enforcement of a pre-existing right. Existing laws create a lien by contract, upon the property of every citizen, for the payment of debts, and by due process thereof, in the courts the title may pass. But this is a totally different case. The title is to pass, not by process of, but by operation of law. By legislative enactment, not by judicial enforcement, an estate is to pass from one citizen to another without his consent or concurrence. For, upon the passage of the bill, the title is out of the legal representatives, and in Mayberry, the administrator, to be disposed of by him, at his discretion, for the benefit of third persons. In my judgment, the act in question infracts also the state constitution. Section 10, article 2d, provides that "no freeman shall be deprived of life, liberty or property, but by the judgment of his peers, or the law of the

land." The phrase "by the law of the land," according to the uniform expositions given, as I have understood them, refers to the fundamental organic laws of government, supporting the federal and state superstructures—to the natural common law rights retained by, and belonging to the citizen, and reserved from those delegated to government, in forming the constitution of the state and of the Union.

After mature reflection, and with all deference, the bill is returned to your honorable body with the foregoing objections.

HENRY M. RECTOR,
Governor of Arkansas.

December 6th, 1860.

W. M. MATHENY,
Private Secretary.

Mr. Fagan, from the committee on enrollments, made the following

REPORT:

MR. PRESIDENT—

I have the honor to report that on the 6th day of December, 1860, I handed to the governor for his approval or rejection, "an act to authorize the clerk of the circuit court of Lawrence county to transcribe certain records of his office.

FAGAN, *Chairman.*

Read and received.

The introduction of bills was in order.

No. 61. Mr. Carrigan introduced Senate bill, to be entitled "an act to incorporate the trustees of the Presbyterian church, of Washington, Hempstead county, Arkansas."

Read the first time.

On motion of Mr. Carrigan, the rules were twice suspended, the bill read the second time by title, and the third time in full, and passed.

Mr. Fagan offered the following

RESOLUTION:

Resolved, That with the concurrence of the House of Representatives, the two committees on militia be made a joint committee.

Read and adopted.

Mr. Oates moved to reconsider the vote of yesterday, rejecting House bill No. 77, entitled "an act for the relief of N. B.

Mabry, of Conway, and Nathaniel Ragan, of Arkansas county," which motion prevailed.

And thereupon, on motion of Mr. Lemoyne, the secretary was instructed to inform the House of such reconsideration, and request the return of said bill to the Senate for further action.

No. 62. Mr. Clark introduced Senate bill, to be entitled "an act for the relief of Sebastian county."

Read the first time.

On motion of Mr. Clark, the rules were suspended and the bill read the second time by title.

Mr. Oates offered to amend the bill by inserting after the word "description," in the 7th line, the words "all grocery licenses,"

Which amendment was adopted.

On motion of Mr. Rosson, the bill was further amended by striking out the words "Sebastian county," wherever they occur in the bill, and its title, and inserting "the several counties of this state."

The bill was then, on motion of Mr. Rosson, referred to the committee on judiciary.

On motion of Mr. McCreery, the Senate adjourned until 10 o'clock to-morrow morning.

THOS. FLETCHER,
President.

FRIDAY, *December 7th*, 1860.

The Senate met pursuant to adjournment.

Roll called.

P R E S E N T :

Messrs. Askew, Belser, Carrigan, Clark, Craighead, Davies,

Douglas, Fagan, Gray, Lemoyne, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—23.

The journal of yesterday was read, approved and signed.

Motions and resolutions were in order.

Mr. Davies presented a memorial from Randolph county, with, and made in pursuance of the following

RESOLUTIONS:

Resolved, That a committee consisting of two from each township, shall draft a memorial to his excellency, the governor of the State of Arkansas, and the legislature of said state, praying them to take prompt and efficient steps for the arming and equipping of the militia and frontier force of the state, together with such other measures as they, in their wisdom, may deem necessary for the protection of the lives and property of its citizens.

Resolved, That our representatives are requested, and are hereby authorized, to appropriate \$500,000 for arming and equipping the militia and volunteer force of the State of Arkansas, out of any money in the treasury, or if necessary, by direct taxation.

Said memorial and resolutions were read, and

On motion of Mr. Davies, referred to the committee on militia.

Mr. Belser presented the following resolutions, adopted by a meeting of the citizens of Chicot county:

WHEREAS, The thirteen original independent states, "in order to form a more perfect Union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to themselves, and their posterity"—among the most important of which rights is the right of property in negro slaves—did enter into a bond of Union by adopting and establishing the constitution of the United States; and

Whereas, The Union thus formed has failed to accomplish the objects for which it was made, and is being converted into an instrument of oppression and degradation, by eighteen states against fifteen equal independent states, by the agency and machinations of a political party in the white-labor states, calling itself republican—which party, for more than fifty years, under different names, has been wresting with impunity from the slave-labor states, one constitutional right after another, one state and territory after another, in violation of solemn

treaty stipulations—has never conceded a constitutional right where slave property is involved, without the surrender of some other constitutional right by the slave states; has nullified, by state legislation, the laws of Congress made to secure the constitutional rendition of fugitive slaves to their owners; has trampled the constitution thus made, in the dust whenever it stood in the way of their mad fanaticism; has proclaimed a higher law than the constitution, the Bible, and then blasphemed its author, and spat upon its divine precepts; has shamelessly engaged in arson, theft, robbery and murder against an unoffending people, singing pæans to its vile agents as martyrs to negro liberty; and

Whereas, This black republican party, with the aid of foreign immigration, has now attained to such huge proportions, as to be able, against all opposition, to elect *their* man to fill the office of President over an unwilling people, whose aim it will be to use all the means in his power, *covertly*, to secure the abolition of slave-labor wherever it may exist under the present government, and place the negro upon an equality with the white race. Therefore, we, the citizens of Chicot county, hereby ignore all past party names and issues, and cordially unite in the following resolutions:

Resolved, That the election of Lincoln and Hamlin to the presidency and vice-presidency of the United States, by the sectional black republican party of the north, ought not to be, and will not be submitted to.

Resolved, That we believe in the doctrine and right of secession by the several states of this Union, upon sufficient cause, of which they are the sole judges, and that our only redress for past grievances, and only security in the future, is the speedy secession of the slave states.

Resolved, That in view of the constant slanders, insults and aggressions of the northern upon the southern states, to longer remain in the Union would bring upon us the merited contempt of the civilized world.

Resolved, That our legislature be requested by our representative, to announce our opinions, by resolution, as soon as practicable, and communicate the same to our senators and representatives in Congress, and co-operate with the governor in calling, at the earliest practicable period, a convention of the people of the state, to determine on the mode and measures of redress.

Resolved, That we respectfully suggest to the legislature to take immediate steps to organize and arm the forces of the state; and recommend that the surplus revenue now in the state treasury, and more if necessary, be appropriated to the immediate purchase of fire-arms, munitions of war, and the establishment of a powder-mill within the state, the more

effectually to protect the state against any emergency which may arise.

Resolved, That we feel deeply grateful to our *brethren* of the north, who battled manfully, without hope, against a tyrannical majority, in the late contest for our constitutional rights; and trust, that should their rights of property be assailed, they may meet with better success.

Resolved, That copies of the foregoing resolutions be sent without delay to our senator and representative in the General Assembly of the state, who are hereby requested to lay them before the Houses of which they are respectively members.

Resolved, That our legislature be requested to postpone the election of United States senator until it has been determined by the south, through a convention of the states, what course she will pursue in the present emergency.

Said resolutions were read, and on motion of Mr McColloch, referred to the committee on federal relations.

Message from the House of Representatives by the clerk:

MR. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have assented to Senate bill No. 28, entitled "an act to provide more fully for the incorporation of the town of Paraclifta."

Said bill is herewith returned.

The House of Representatives have passed the following House bills, to-wit:

No. 32, to be entitled an act to amend chapter 126 of Gould's Digest.

No. 131, entitled an act to incorporate the Sisters of Mercy of the Academies of Helena, Little Rock and Fort Smith.

No. 130, entitled an act for the relief of Thomas H. Harwood, of Chicot county.

No. 140, entitled an act to exempt family grave yards and public burying places from taxation and execution.

No. 141, entitled an act to incorporate the Washington county agricultural and mechanical society into a joint stock company.

Said five House bills are herewith transmitted for the assent of your honorable body, which is respectfully asked.

The House of Representatives have concurred in Senate resolution to go into an election for auditor of public accounts on Saturday, the 8th inst., at 11 o'clock, a. m.

S. M. SCOTT, *Clerk of
House of Representatives.*

Reports from standing committees were in order.

Mr. Fagan, from the committee on enrollment, made the following

REPORT:

MR. PRESIDENT—

The committee on enrolled bills have examined the enrollment of "an act to incorporate the Helena Home Insurance Company," and have instructed me to report the same correctly enrolled.

FAGAN, *Chairman.*

Read and received.

Mr. Clark, from the committee on education, made the following

REPORT:

MR. PRESIDENT—

The committee on education, to whom was referred House bill No. 48, to be entitled an act to aid the citizens of Mountain township, Washington county, Arkansas, in suppressing the sale of spirituous and vinous liquors in said township, have had the same under consideration, and have instructed me to report the same back to the Senate and recommend its passage.

CLARK, *Chairman.*

Which report was received and the bill read for information.

Mr. Clark moved that the bill be read the third time.

Mr. Craighead objected, and after some debate, the bill was on his motion, recommitted to the committee on judiciary.

Mr. Rosson, from the committee on swamp and overflowed lands, made the following

REPORT:

MR. PRESIDENT—

The committee upon swamp and overflowed lands, to whom was referred Senate bill No. 52, to be entitled an act for the relief of John D. Adams, have had the same under consideration, and have instructed me to report the same back and recommend its passage.

ROSSON, *Chairman*

Said report was received, and on motion of Mr. Fagan, the bill was read the third time and passed.

Mr. Rosson, from the same committee, made the following
REPORT:

MR. PRESIDENT—

The committee on swamp and overflowed lands, to whom was referred Senate bill No. 57, to be entitled an act to extend the right of pre-emption to 160 acres of the swamp and overflowed lands to 320 acres, have instructed me to report the same back and recommend its passage.

ROSSON, *Chairman.*

Report read and received.

On motion of Mr. Rosson, the bill was read the third time and passed.

Mr. Douglas, from the committee on public roads, made the following

REPORT:

MR. PRESIDENT—

The committee on public roads, to whom was referred House bill No. 105, entitled an act to amend an act entitled an act to authorize Desha and Mississippi counties to levy and collect a road tax, approved 13th day of January, 1857, have had the same under consideration, and have instructed me to report the same back to the Senate without amendment, and recommend its passage.

DOUGLAS, *Chairman.*

Report read and received.

On motion of Mr. Douglas, the bill was read the third time and passed.

Mr. Mitchell, from the committee on memorials, made the following

REPORT:

MR. PRESIDENT—

The committee on memorials, to which was referred Sen-bill No. 39, to be entitled "an act to incorporate the Merchants' and Planters' Insurance company of Little Rock," have considered the same and have instructed me to report the same back with two several amendments, and to recommend its passage as amended.

MITCHELL, *Chairman.*

AMENDMENTS:

In section 1, strike out the words "perpetual succession,"

and insert the words "succession for fifty years."

In section 10, after the word "company," in the 4th line, insert the following, to-wit:

"*Provided*, That nothing in this act shall be so construed as to allow said company any banking privileges."

On motion of Mr. Lemoyne, said amendments were severally adopted, and on motion of Mr. Oates, the bill was read the third time by title, and passed.

The introduction of bills was in order.

No. 63. Mr. Douglas introduced Senate bill to be entitled an act for the relief of the locating agents in the counties of Arkansas, Ashley, Bradley, Clark, Dallas, Greene, Hempstead, Jefferson, Lafayette, Lawrence, Mississippi, Pulaski, Saline, Scott and Sevier.

Read the first time.

On motion of Mr. Douglas, the rules were suspended, the bill read the second time by title, and referred to the committee on swamp and overflowed lands.

Message from the House of Representatives by the clerk:

MR. PRESIDENT—

In obedience to instructions of the House of Representatives, I herewith return to the Senate, as requested, House bill No. 77, to be entitled an act for the relief of N. B. Mabry of Conway, and Nathaniel Ragan of Arkansas county.

S. M. SCOTT, *Clerk of
House of Representatives.*

No. 64. Mr. Watkins introduced Senate bill to be entitled an act to bind property, both personal and real estate, of the defendant and security in recognizances before the circuit courts of this state in criminal prosecutions.

Read the first time.

On motion of Mr. Watkins, the rules were suspended, the bill read the second time by title, and referred to the committee on judiciary.

No. 65. Mr. Miller introduced Senate bill to be entitled an act to incorporate the city of Ozark.

Read the first time.

On motion of Mr. Miller, the rules were twice suspended, the bill read the second and third times by title, and passed.

No. 66. Mr. Clark introduced Senate bill to be entitled an act to amend the charter incorporating the town of Greenwood, in Sebastian county.

Read the first time.

On motion of Mr. Clark, the rules were twice suspended, the bill read the second and third times by title, and passed.

Mr. Davies, from the committee on claims, on leave, made the following

REPORT:

MR. PRESIDENT—

The committee on claims, to which was referred an account against the State of Arkansas, in favor of T. D. Merrick, for expenses of inauguration of Henry M. Rector, governor of the State of Arkansas, have had the same under consideration, and have instructed me to report the accompanying bill to the Senate and recommend its passage.

DAVIES, *Chairman.* •

Said report was received, and the accompanying bill to be entitled "an act to provide for the payment of expenses accruing for the inauguration of the present governor of the State of Arkansas," was read the first time.

On motion of Mr. Davies, the rules were twice suspended, the bill read the second and third times by title, and passed.

On motion of Mr. Lemoyne, House bill No. 77, to be entitled an act for the relief of N. B. Mabry, of Conway, and Nathaniel Ragan, of Arkansas county, was taken up, and the Senate having reconsidered the rejection of the bill, it stood up its second reading as amended, by striking out Van Buren county.

On motion of Mr. Oates, the bill was further amended by striking out Monroe county.

The bill was then read the third time as amended and passed.

On motion of Mr. Clark House bill No. 131, entitled "an act to incorporate the Sisters of Mercy, of the Female Academies of Helena, Little Rock and Fort Smith," was taken up and read the first time.

On motion of Mr. Clark, the rules were suspended, the bill read the second time by title, and referred to the committee on education.

On motion of Mr. Belser, House bill No. 130, to be entitled an act for the relief of Thomas H. Harwood, of Chicot county, was taken up and read the first time.

On motion of Mr. Belser, the rules were suspended, and the bill read the second time by title.

On motion of Mr. Oates, it was referred to the committee on judiciary.

On motion of Mr. Lemoyne, the Senate adjourned until 9½ o'clock to-morrow morning.

THOS. FLETCHER,
President.

SATURDAY, *December 8th*, 1860.

The Senate met pursuant to adjournment.

Roll called.

P R E S E N T :

Messrs. Askew, Belser, Carrigan, Clark, Craighead, Davies, Douglas, Fagan, Gray, Lemoyne, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—23:

On motion of Mr. Fagan, the reading of the journal of yesterday was dispensed with for the present.

Mr. Lemoyne arose and announced the death of Hon. William A. Jones, a member of the Senate, and after submitting some remarks, appropriate to the occasion, offered the following resolutions, to-wit:

Resolved, That a committee of five be appointed by the President of the Senate, to act with a like committee on the part of the House, to superintend the funeral of William A.

Jones, late a member of this body, which will take place to-day (Saturday,) at 12 o'clock m., and that the Senate will attend the same.

Resolved, That the members of this body to evidence their respect for the memory of the deceased, will go in mourning for thirty days, by the usual mode of wearing crape on the left arm.

Resolved, As a further mark of respect entertained by the Senate for the memory of Wm. A. Jones, and his valuable services to the state, that his remains be removed to his home and placed in charge of his family; and that a committee be appointed by the President of the Senate, who shall have full power to carry this resolution into effect; and that a copy of these resolutions be furnished to his family.

Said resolutions were read, and on motion of Mr. Clark, unanimously adopted.

Mr. President appointed as the committee to superintend the funeral of Hon. William A. Jones: Messrs. Mitchell, Carrigan, Douglas, Craighead and Fagan, and as the committee on the part of the Senate to convey his remains to his residence, Mr. Lemoyne.

On motion of Mr. Rosson, the secretary was directed to transmit the above resolutions to the House of Representatives for their concurrence.

On the further motion of Mr. Rosson, the Senate adjourned until 9½ o'clock Monday morning.

THOS. FLETCHER,

President.



MONDAY, *December 10th*, 1860.

The Senate met pursuant to adjournment.

Roll called.

P R E S E N T :

Messrs. Askew, Belser, Carrigan, Clark, Craighead, Davies,

Douglas, Fagan, Gray, McAlexander, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—23.

Mr. Lemoyne absent by order of the Senate.

The journal of Friday and Saturday, was read, approved and signed.

Mr. President laid before the Senate the following communication from the governor:

To the President of the Senate:

In response to the Senate resolution of the 1st inst., I find, that to obtain the information therein requested it will be necessary to make complete lists of all the lands certified by the general government to the railroad companies respectively.

No lists of these lands being filed in the state departments, resort must be had to the office records of said roads.

The records of the Fort Smith branch being kept in Van Buren, the desired information can not possibly be furnished in any reasonable time, and if at all, at great expense. I therefore beg leave to communicate the above facts to your honorable body.

HENRY M. RECTOR.

By W. M. MATHENY, *Private Secretary.*

Petitions and memorials were in order.

Mr. Fagan presented the petition of sundry citizens of Saline county, praying for the passage of an act to prohibit the sale of intoxicating liquors of all kinds, in any quantity and for any purpose, within that portion of township 2 south, range fifteen west, embracing certain sections named in said petition, for they represent that the citizens of Benton and surrounding country are making a strong effort to carry on schools in said town, which are greatly hindered by the sale of intoxicating liquors there.

Which petition was read, and on motion of Mr. Fagan, referred to the committee on education.

Mr. Belser presented the memorial of sundry citizens of Arkansas, Desha, Drew and Jefferson counties, representing that a new county is much needed, which may be formed out of portions of said counties without lessening either of them too much under the constitution of the state, representing also that they suffer great inconvenience, trouble and expense in consequence

of living so remotely from their county towns, etc., therefore they pray the establishment of a new county—to be called Fletcher county—and formed out of portions of said counties of Arkansas, Desha, Drew and Jefferson.

Said memorial was read, and on motion of Mr. Belser referred to the committee on counties and county lines.

Mr. President announced that pursuant to previous order the Senate would take up Senate bill No. 13, to be entitled an act to aid the construction of the different railroads in the State of Arkansas.

Mr. Terry moved to postpone the consideration of said bill until Monday next, at 11 o'clock, a. m.

Which motion prevailed.

Mr. McColloch presented the following reports of the president, chief engineer and secretary of the Mississippi, Ouachita and Red river railroad company, in response to the resolutions of the Senate calling upon certain railroad companies for information respecting the condition of their roads, their progress, indebtedness, etc., to-wit:

REPORTS OF THE OFFICERS OF THE M. O. & R. R. RAILROAD COMPANY.

REPORT OF THE PRESIDENT.

OFFICE M. O. & R. R. R. Co.,
Camden, Arkansas, Nov. 20th, 1860. }

To the Stockholders of the M. O. & R. R. R. Co:

GENTLEMEN—It is with pleasure that I herewith submit to your consideration the proceedings and management of your road during the past year. Feeling at the same time, inadequate to the task of doing justice to the enterprise of which you are, or in the future will be, the recipients. It has been my constant aim in the past, and will be in the future, (should I be honored with the administration of the affairs of your company) to be unremitting in the protection of your interest in every particular. There has been obstacles to surmount in the construction and financial department for the past year, that few, who were mere casual observers, could for a moment contemplate. A depleted treasury, confidence gone, debts (though small in comparison to the means of the company) hanging over it, and the difficulty of getting contractors to work, were anything but pleasant introductions to a new ad-

ministration of your affairs. The work on your road has slowly, but steadily progressed; notwithstanding these difficulties have continued to operate pressingly upon us, and that too far in advance of the *ready means furnished* by the company to carry it on. I hope and believe that these troubles are fast diminishing, and will entirely disappear, under the change that is at this time taking place in the minds of the people concerning your enterprise. The troubles you have had, are only such as other railroads, or public works have had to contend with; who, in their zeal in the outset, by a wise *mismanagement*, lost the prize, only to return with renewed energy and contend more strongly for it in future. The dark clouds that have so long been hanging over your road, are now fast disappearing, and the doubts that have agitated your minds, occasioned by the delay in getting in operation, should be cast aside. Therefore, let past grievances and fears be now and forever banished, with the assurance that your fondest hopes will soon be realized. There are at this time a small amount of liabilities hanging over you; but not of a serious or troublesome character. Having a small portion of your road in *active* operation, will of course lessen their weight, and at the same time give a more reliable and available means for your future operations.

There is now in operation about $7\frac{1}{2}$ miles of your road, all having been finished up and completed within the last year, (except about $1\frac{1}{2}$ miles of track laid down by your former president, Col. Charles McDermott.) Considerable extra expense was incurred on this $7\frac{1}{2}$ miles, occasioned by the rotting of trestle work, to such an extent as to require a large portion to be removed, and in some instances the whole of it. This too, at a heavy cost to the company, while the high water and washes in the banks were serious drawbacks to our progress. Summing up the whole, I should set down the extra work at not less than twelve thousand dollars.

This finished portion of your road was put in operation on the 15th day of October last. One month's receipts up to the 14th November, inst., as per report of freight agent, sums up as follows:

For freights.....	\$1,866 66
Through passengers.....	187 75
Local.....	128 25
Mail.....	25 00

Total receipts..... \$2,207 66

For further particulars, in regard to the expenses, etc., attending the running, I refer you to the able and lucid report of your chief engineer, Capt. W. H. Davison. Also, see his statement in relation to the past and the future construction of your road.

The passenger fare, and rates of freight, have been regulated according to the outlay and expenses attendant upon operating the same. As the work advances, our rates will be regulated more in accordance with the usages and customs pertaining to charges made on other roads. Then let me urge upon you the importance of at once procuring means to push forward the work to the "Cut-off" Hills. The small amount required to accomplish this, is but a tithe, when compared to the good that will result to you from so doing. Besides establishing your road on a firm foundation, thereby insuring its early completion. This 20 miles finished, will pay you 20 per cent. upon actual cost, and cause many, who are now lukewarm in the cause, to come forward and aid you. The local work is all done, with the exception of the bridges across Bayou Bartholomew, and the "Cut-off," and about two thousand feet of trestle work. In fact, the whole cost of completing your road to the "Cut-off" hills, 14 miles from its present western terminus, will sum up as follows:

Iron, spikes and chains.....	\$70,000 00
Construction	30,000 00
	\$90,000 00

With the money in the treasury to buy the iron, I am satisfied that the local work could be let out at one half cash and half stock, and certainly the stockholders of this company can and will raise \$15,000 to accomplish this.

A resolution or order must be made by you before we can receive any more stock, unless you should be so fortunate as to get a donation of land, as I have tried hard and long to get the people aroused upon this subject, and make cash subscriptions, but to no effect. I have found a "good feeling" for your road, which only partially relieved the mind, but not the purse. I would, therefore, suggest that you pass a resolution authorizing the agents of your company to receive stock, upon the payment in cash of a portion of the amount subscribed at the time of subscription; the balance in one and two years, with notes, and ten per cent. interest from maturity. Such a resolution as this is necessary, from the fact that the last call upon your present subscription of stock has been made, and no more stockholders can be received at present, except by cash subscriptions.

There is, also, another matter I wish to bring before you for consideration, that is, changing the present line of your road on the eastern division, so as to pass through the town of Monticello; the present line, running some three miles south of said place. A change, in my opinion, can be effected without materially affecting your interest. The length of the road would not be increased more than $\frac{3}{4}$ of a mile, probably not so

much. I would suggest the importance of this change, from the fact that Monticello is, at this time, one of the most promising inland cities in South Arkansas—her citizens are enterprising and energetic, and have always been warm, devoted and working friends, for the interest of this enterprise, and that, notwithstanding the present location of your road. With a change of location, they would be *unanimously* in your favor. I hope, therefore, that you will instruct your directors to authorize the change above asked for, upon the sum of fifty thousand dollars in cash being paid into your treasury during the ensuing six months, and also a guarantee to the company of a liberal donation of land in the limits or vicinity of Monticello.

With the foregoing statements in regard to present operation and condition of your road, I deem it not inappropriate, but highly necessary to make a few statements in relation to the original survey, in order to show you that, notwithstanding the great hue and cry that has been raised against the former managers of your affairs, still they are entitled to much credit. And I am satisfied that all candid and unbiased minds must agree with me. To sum it up, we will first take up the report of your worthy and efficient secretary, Ed. C. Wilson, esq., and extract therefrom a few items under *his* head of recapitulation, and compare the same with the original estimated cost of your road by your former chief engineer, Capt. Lloyd Tilghman, at the different points along the line, and see what the result will prove.

Mr. Wilson shows the total amount of stock subscribed, to be \$505,300 00. This includes stock taken by contractors, in work and *original* cash subscriptions. On this amount, there has been paid, in cash and work, the sum of \$305,515 38, leaving a balance due, from original cash subscribers, of \$199,784 62; from this last amount under a change of the present location of the road on the western division on Red river—we lose (unless the stockholders who subscribed the same, will make it good) \$48,200 00, leaving a balance due from unconditional stockholders, \$151,584 62, a large portion of which stock has been forfeited and sold, and the prospects of realizing the deficits by law or otherwise, not sufficient to warrant you in making any negotiations or promises to pay upon the expectation of meeting them from any receipts therefrom.

Therefore, we will cast aside all prospects in this quarter, and content ourselves with the money that has been paid upon said stock sold, which realizes to the company \$35,221 63. Deduct this from the whole amount paid, will leave stock for which certificates are to be issued, \$270,294 75, this, therefore, represents the actual amount of bona fide stock in your company. Now, to go back to my first proposition, let us see how this money has been expended; and, to do this, it is only neces-

sary to show the original estimated cost of your road, the amount of work that has been done upon the same, and your present indebtedness. According to Capt. Tilghman's report of preliminary surveys made in February, 1854, I extract the following:

From Ferguson's to the Cut-off, 19 miles 4,127 feet.	\$73,467 92
From Cut-off to Monticello Ridge, 12 miles 360 feet.	21,801 98
From Monticello Ridge to the Saline river, 15 miles 1,700 feet	44,901 52
From Saline to Moro, 22 miles 8 feet.	42,965 80
From Moro to Ouachita river, 27 miles 160 feet.	95,486 34

Total cost of road from Mississippi river to Camden \$278,623 56

From the above estimates, deduct for trestle work, plan beams, log drains, Saline bridge, Ouachita bridge, and about 15 miles of grading yet to be done, \$104,930 00, and it leaves the sum of \$173,693 56, invested in your road on construction to date, with an additional amount of \$15,000 00 for repairs during the present year. Taking, then, the actual amount of cash paid in, or for which stock certificates are to be issued, to be, as previously stated, \$270,294 75, and deduct from the same \$173,693 56, paid on *actual* construction, and you have the sum of \$96,601 19, to sundries; or to express it more plainly, to officers, preliminary survey, the present equipment of your road, etc.

From the secretary's report you will see that the assets of your company are as follows, leaving out the sum of \$199,784 62, yet due from delinquent stockholders, viz:

Real estate	\$130,815 25
Bills receivable	12,109 62
Cash in hands stockholders	3,489 39
Due from sundry persons	2,840 70
	\$149,254 96

To this add the amount of grading, grubbing and clearing, now done on your road, as previously explained. \$173,693 56

Seven and a half miles of road equipped and in running operation 150,000 00

Making your actual assets	\$462,948 52
Liabilities as per secretary's report	36,623 55

Leaving \$426,324 97

Actual assets of the company, after all her liabilities are paid, and the amount due from defaulting stockholders set aside; thus leaving to you who have paid your stock, the sum

of \$156,030 22 to be divided after paying back your original subscriptions. Examine for yourselves, and then say whether or not I am correct. I consider your assets to be every dollar, and, upon a fair valuation, more than they are here put down. Your liabilities, I am satisfied, are no more than stated, and under your charter, no stockholder is entitled to a certificate of stock until all arrearages are paid, thus making, as before stated, \$270,294 75, the actual bona fide stock in the company. Now it is to you that I appeal to come forward, and either extend your subscriptions or advance the amount of money necessary to equip and put in operation the balance of your road to the "Cut-off" hills, and, by so doing, double in twelve months your stock in the road.

Experience has demonstrated to the best informed, that it is impossible to build railroads in any country, in a reasonable length of time, by private or local subscriptions. Locate the enterprise in the most densely populated and wealthy section you may, and you will find good backers in every other particular, except advancing the necessary means to accomplish the desired object. Therefore, to build our road, we must have aid, and such aid as will enable us to borrow money from *abroad*, at reasonable rates. With our state out of debt, and her indorsement upon your bonds for \$500,000 00, there would be no difficulty in completing your road to Camden in less than eighteen months. As these bonds could be sold easily for 85 cents on the dollar, thus realizing a sum sufficient to purchase iron for the whole distance; the iron purchased, there would be no difficulty in getting the balance of your local work done for stock in your road. With \$500,000 00 in your treasury, I will guarantee the completion of your road to Camden in 18 months.

Take into consideration the great elements that constitute the success of a railroad, and it will be found that yours possesses advantages over that of any road ever projected in the United States, according to its length. Penetrating one of the most fertile regions of land in the world, it becomes, therefrom, one of the leading avenues of commerce, and, if well managed, will yield large dividends to its stockholders. Your road once completed to Red river, and its connection made with the M. E. & P. R. R., will be made the chief outlet for the vast products and travel that will flow over these two great thoroughfares. Again, I believe that your road will be one of the connecting links of the Pacific railroad through Arkansas, and without any argument of my own to prove it, I will merely give you what Capt. A. A. Humphries says upon this subject—a competent officer, and who stands at the head of his profession. He says:

"Starting from the Mississippi river, the distance of the upper

road from Rock Island to Benecia, in San Francisco Bay is 2,299 miles. From *Gaines' Landing* to the Pacific, at San Diego, is 1,683 miles. Difference in favor of the *Gaines' Landing* route 618 miles. That the cost of construction on the parallel of 32 degrees from the Mississippi river, to the Pacific Ocean, would be little more than one half of that on the route of the 41st parallel.

"I find that the cost of the route on the 41st and 42d parallel from Council Bluff to Benecia is set down at \$116,095,000 00, thus making the southern or Gaines' Landing route cost \$58,047,500 00 less than the northern route. Besides the difference in climate," etc. And now, gentlemen, I must bring my remarks to a close. I look upon your enterprise as one of incalculable benefit to the southern portion of our state, both social, political and commercial, and I do not think that I hazard too much when I say it is one of the great works of the state. It affords me great pleasure, in conclusion, to state that the various officers connected with your road, have performed their duty creditably, not only to themselves, but to you, and highly satisfactory to me.

Respectfully submitted.

JAS. THOS. ELLIOTT,

Pres't M. O. & R. R. R. Co.

CHIEF ENGINEER'S REPORT.

ENGINEER'S OFFICE,

M. O. & R. R. R. R. Co.,

Camden, Nov. 15th, 1860.

*To the President, Directors and stockholders of the
M. O. & R. R. R. R. Company:*

GENTLEMEN—In accordance with the annual custom, I have the honor of giving you a brief statement of the operations in my department since the 21st of February last, when I took charge of your road as chief engineer. On my arrival at your eastern terminus, I found two and a half miles of track already laid to the eastern end of the Clay bayou trestle work, which, together with the balance of the trestles to Bayou Mason, was under contract to various parties to repair and finish. The bridge across Bayou Mason was being done as company work, and offered no hindrance to the progress of the track. The work from Clay Bayou to Dry Bayou, inclusive, was at that time very

much interrupted by high water, caused by the cutting of the state levee, twenty-five miles above your road, by which lawless act the accumulated surface water of the bottom lands south of the Arkansas river was let down upon us. The contractors were thus compelled to do their work in from three to six feet depth of water. A large party, that had been set to repairing the breaches made in the embankment by the overflow of 1858, was driven out, and we had finally to substitute trestles in such places at an increased cost. The contractors for repairs of trestle work, Mr. Alexander Knapp, Halley & Brother, and Harrison & Richardson, deserve the highest commendation for their perseverance under these disadvantageous circumstances, and I do not think it invidious to designate Mr. M. J. Halley as having shown himself the model of perseverance under difficulties.

The track was not completed across the first half mile span of the Clay Bayou trestles until the 15th of April, our progress with trestles and track, which were necessarily carried on, in a great measure, together, being only from fifty to seventy feet per day, and it was not till the middle of May that we found ourselves with the track laid across all the gaps in the overflow and a fair prospect before us.

At this time two gentlemen, from Kentucky, were building a steam saw mill, on the line of the railroad, at Bayou Mason, and a contract was agreed upon with them to saw all the lumber that we would need to lay the balance of the flat rail then on hand; the stringers that had been brought from Paducah not being enough to take us quite to Bayou Mason. It would have taken at least three months to procure the lumber we needed from abroad, and it was thought best to rely upon the mill, as we could get it much cheaper from that source. The promises made by these gentlemen were not carried out, partly perhaps from causes beyond their control, and we were compelled to lease the mill ourselves in order to get the lumber we needed.

This delay, and the extreme difficulty of procuring hands during the sickly season, threw the completion of the track to Bowie's into October, on the 15th of which month, the road was opened for business. The results since that time will be shown by the reports of the various officers, and can but be very flattering to every well wisher of your road.

The track to Bowie's is laid with the best kind of flat rail, weighing $21\frac{1}{2}$ pounds to the yard. This is spiked down to oak stringers, which are secured to their places by wedges driven into gains made in every other one of the ties upon which the stringers rest. The cost of this track has been as follows, for everything above the cross-ties:

Iron, per mile.....	\$2,300 00
Chairs and spikes.....	140 00
Stringers.....	640 00
Wedges.....	75 00
Laying.....	550 00

Cost of one mile..... \$3,705 00

The cost of one mile of T iron, weighing 50 pounds to the yard, at the present low rates of iron will be:

80 tons iron, at \$59.....	\$4,720 00
Chairs, spikes and track laying.....	900 00

Cost of one mile of T rail..... \$5,620 00

Showing a difference in first cost in favor of the flat bar rail, of \$1,915 per mile, the cross ties being omitted in both cases. But this difference would be much more than made good before either kind of rail could wear out, in case you should conclude to use, in future, only the T rail. Our experience with the present flat bar rail goes to show that we must reckon on renewing our stringers and wedges at least once in three years. The track once out of line, or surface, it is next to impossible to restore it, on account of the warping of the stringers. It is much more difficult to adjust than the T rail, because so large a section of the track has to be lifted by the repairers. The track never being so smooth, as that made with the T rail, causes increased wear to the rolling stock. All these disadvantages will run the cost of the flat bar ultimately far above that even of a first class T rail.

Assuming that you will use the 50 pound T rail in future, the cost of laying a track from Bowie's to the hills, at the Cut off Bayou, will be as follows:

13½ miles superstructure, at \$5,620.....	\$75,870
Additional ties.....	1,500
Trestle work.....	7,000
Completing and dressing banks.....	2,335
Contingent expenses, engineering, etc.....	6,935

Total cost from Bowie's to the hills..... \$93,640

The two miles of track from Bowie's to near Judge Lowrie's, to an intersection with the road to Gaines' Landing, can be laid for about the following cost:

2 miles of superstructure.....	\$11,240
Additional ties.....	400
Trestle work.....	150
Contingencies, 4 per cent.....	470

Total cost of two miles from Bowie's..... \$12,260

It will be understood that we are now completely beyond the overflow of the Mississippi river, and henceforth shall have only to contend with the surface water that passes down the various streams which we cross. If it is thought necessary to stop for awhile at Judge Lowrie's; we can throw a temporary bridge across Black Pond Bayou, at a trifling cost, for the use of teams.

By laying your track to Judge Lowrie's I can safely say that you will have a road finished, and moderately well equipped, that will be worth, to you, over \$200,000, bringing at least double the amount of freight that now goes over it, and completely intercepting the travel and trade to Gaines' Landing. You can see how this is, when I tell you, that, to get by these two miles of your road, to your present terminus, teams are compelled to travel more than five miles.

Continuing our track westward from Lowrie's we shall have first to build 150 feet of trestles across Black Pond Bayou, and to complete the embankment on each side; when we shall have a continuous embankment for three miles to Big Bayou, needing only to be dressed up, where it has been injured by teams traveling over it. At Big Bayou we have 150 feet of trestle work to complete, and have then a continuous bank for five miles to Bayou Bartholomew, where we shall add largely to our freight receipts, by drawing to us the cotton from the Bayou Bartholomew plantations, above and below our line. Across Bayou Bartholomew we shall have to build 600 feet of trestles, including one span of 25 feet to accommodate flatboats; it being hardly supposable that we shall be compelled to erect a draw here, that can never be used in the present condition of the bayou. After crossing Bayou Bartholomew we have three short spans of trestles to build of 50 feet each, 1,000 feet of three and four foot bank to put up, and about one mile of embankment to dress, before we come to the Cut-off Bayou, which lies immediately at the foot of the hills.

These bayous can be easily trestled, or, in case of a very rainy season, the deeper portions of them may be piled.

In regard to the proposed route from the Cut off Bayou to the Saline river, to pass through the town of Monticello—if as good a crossing of the Monticello ridge can be obtained as on our present line—the distance will not be increased over half a mile, and the work to be thrown away on the present line would be nearly covered by sixty thousand dollars. I shall make a careful investigation into this matter as soon as I can get hold of the proper documents. With sixty thousand dollars, the right of way secured, and a donation of land for depot purposes, at Monticello, I think the company might afford to make the desired change, if, upon examination, it seems feasible.

In the event of an extensive letting of work, I shall need an increase of the engineering force though my aim will still be to make the expense of that department as small as it can conveniently be, consistently with the best interests of the road. In conclusion, I would express my thanks to Mr. A. J. Wood, who has been a most material assistance to me in the performance of my duties, and who now occupies the position of road master over the finished part of your road.

With many thanks to the officers of the company for their uniform kindness and countenance, I have the honor to remain,

Your ob't serv't,

WM. H. DAVISON,
Chief Engineer.

REPORT OF THE SECRETARY.

CAMDEN, ARK., November 16, 1860.

To the stockholders of the M. O. & R. R. R. Co.:

GENTLEMEN—I have the honor to submit for your consideration, the following report of the affairs of your company, for the year ending November, 1860:

Capital stock authorized by charter.....	\$2,000,000 00
--	----------------

To total amount of stock subscribed, \$505,300 00	
---	--

By " " credits on stock	
subscribed	305,515 38

	<u>\$199,784 62</u>
--	---------------------

To amount of conditional stock sub-	
scribed included in above	48,200 00

By amount of credits on conditional	
stock included in above	21,776 00

	<u>\$26,424 00</u>
--	--------------------

Amount of stock forfeited and sold by	
resolution of the board of directors,	
March 28, 1860	\$105,000 00

By credits thereon from original sub-	
scribers	35,221 63

	<u>\$69,778 37</u>
--	--------------------

This balance due after deducting the	
amount for which it was sold....	6,644 75

Due from persons whose stock has been sold.....	\$63,133 62
Forfeited shares (1050) sold for....	\$6,644 75

AMOUNT INVESTED IN THE ROAD UP TO NOVEMBER, 1859.

Construction account	\$324,023 10
Superstructure and equipment	18,827 00
Expense account	19,036 67
	<u> </u> \$361,886 77

AMOUNT INVESTED FROM NOVEMBER, 1859, TO NOVEMBER, 1860.

Iron account.....	\$13,661 64
Earth-work.....	2,228 20
Equipment—locomotive and other rolling stock.....	8,497 64
Bridges and trestle	10,703 87
Company work	8,897 16
Track-laying	1,825 14
String timbers and lumber account..	1,360 85
Cross-ties.....	860 00
Freight account—freight on iron, etc.	1,098 88
Right of way	264 00
	<u> </u> \$49,397 38

CHARGED TO THE FOLLOWING ACCOUNTS:

Interest account.....	\$1,781 62
Discount	2,779 13
Printing and advertising	237 50
Traveling agent's expenses.....	567 80
General expense account.....	2,434 99
	<u> </u> \$7,801 04
Attorney's fee.....	\$996 26
Costs	116 85
	<u> </u> \$1,113 11
Real estate, originally.....	\$150,535 25
Less the sale of "Eu- nice" lots	19,720 00
	<u> </u> \$130,815 25
Bills receivable, and ("Chicot coun- ty bonds," \$10,000).....	12,109 62
Due from sundry persons.....	2,840 70
Cash in hands of secretary.....	105 90
" " treasurer.....	3,383 49
Salary account—salary of officers .	5,550 50
	<u> </u> \$154,804 96

CONTRA.

Convertible stock bonds issued to November, 1859.....	\$20,225 00	
Convertible stock bonds issued since	1,675 00	
		\$21,900 00
Bills payable.....		9,269 83
Requisitions issued and outstanding to November 1859.....	\$13,166 72	
Requisitions issued and outstanding since November, 1860.....	5,219 62	
		\$18,386 34
This amount redeemed.....	1,765 82	
		\$16,620 52
Amount due contractors, in cash		2,351 10
Amount due contractors, half cash and half bonds,		2,158 35
Amount due sundry individuals, in cash.....		7,309 93
Amount due contractors, in stock.....		12,563 19
Donation account—estimated value of property donated		155,800 00

RECAPITULATION.

Exclusive of the construction of the road and capital stock account.

ASSETS.

Due from stockholders; both conditional and forfeited.....	\$199,784 62	
Real estate.....	130,815 25	
Bills receivable.....	12,109 62	
Cash in hands of secretary and treasurer	3,489 39	
Due from sundry persons.....	2,840 70	
		\$349,039 58

LIABILITIES.

Bills payable.....	\$ 9,262 83	
Requisitions	16,620 52	
Due contractors and sundry persons, in cash.....	10,740 20	
Balance	312,416 03	
		\$349,039 58

Statement of the transportation of freights and passengers from October 15, to November 14, 1860, inclusive:

{ *Westward*—Eunice to Bowie's station.
 { *Eastward*—Bowie's station to Eunice.}

FREIGHTS.—Eastward	\$ 713 03	
Westward	1,153 63	
	<u> </u>	\$1,866 66
PASSENGERS.—Eastward	\$ 101 50	
Westward	86 25	
	<u> </u>	187 75
Receipts from freights	\$1,866 66	
do do passengers—through and local	316 00	
Receipts from mail	25 00	
	<u> </u>	
Total receipts	\$2,207 66	
No. of bales of cotton, 1,198.		

It will be seen from the statement, that there is a balance due from the stockholders of \$199,784 62, in which is included the conditional and forfeited stock. The forfeited stock is that which was sold under a resolution of the board of directors, passed March 28, 1860; the sales amounting to \$105,000 00; the credit on this stock, \$35,221 63, leaving a balance of \$69,778 37, from which we deduct the amount it was purchased for at auction, (July 16, and November 12, 1860.) \$6,644 75; net amount due \$63,133 62, to be collected—if possible.

As to the conditional stock—by an action of the directors, (March 28, 1860,) all this class of stockholders were released from their subscription, from the fact that the stock was taken, provided, the road should cross Red river at the "Cut-off." The action of the board, referred to, locates the terminus of the road at Fulton.

The amount paid by conditional stockholders on their subscription is \$21,776 00, and, in consideration of the above fact, the directors, on the 16th July, passed the following resolutions:

"No. 2. *Resolved*, That we fully authorize our secretary to issue to all subscribers to the capital stock of this company, known and considered as 'conditional stock subscribers,' stock certificates to the amount of their subscriptions, in all instances where 75 per cent. had been paid: also, to issue certificates to all this class of subscribers, provided they pay up to 75 per cent. on their subscriptions.

"No. 3. *Resolved*, That, in instances where the conditional stock subscribers refuse to take certificates, as mentioned in resolution No. 2, of this date, in order to settle their stock accounts, we further authorize our secretary to issue the company's obligations to all conditional stock subscribers, to the

amount paid on their subscriptions, the said obligations made payable five years from date, bearing interest at the rate of 10 per cent. Interest payable annually."

If the stockholders avail themselves of the second resolution, by demanding an issuance of certificates, the company will lose 25 per cent. on \$48,200 00, (the amount subscribed,) and, instead of there being a balance of \$26,424 00 due, it will be reduced to \$14,374 00. Again: if the company be compelled to issue its obligations for the amount paid in on this stock, we deduct \$48,200 00 from the capital stock, and add \$21,766 00 to its liabilities. Of the forfeited stock, I can say no more, but await your action as to its final disposition.

The other accounts, I believe, as they appear from the statement, will explain themselves, as follows: \$361,886 77, being the amount invested in the construction of the road up to November, 1859; since then, we find \$49,397 38 invested, also, sundry accounts—\$7,801 00 and \$1,113 11. The real estate account was originally \$150,535 25. This is the estimated value of the property donated by Mr. Wm. T. Ferguson, of Chicot county, the location "Eunice," on the Mississippi river. The company advertised and sold, on April 16th and October 15th, 1860, a portion of this property—sales amounting to \$19,720 00 for thirty three lots.

The bills receivable in hand, include \$10,000 Chicot bonds, which were executed to the company by Chicot county, last June, as payment for her subscription in stock.

The cash in hands of secretary and treasurer, is 3,489 39. The salary account of \$5,559, includes the salaries of the elective officers. The salaries of such officers as are more intimately connected with the running department, are not included in this amount—agent of transportation, conductor, road master, etc.

The amount of "convertable stock bonds," issued up to November, 1859, is \$20,225 00, from November, 1859, to 1860, \$1,675, making in the aggregate \$21,900. These bonds bear interest at the rate of 8 per cent. Interest payable semi-annually, and to be converted into stock upon the completion of the road to Red river.

The bills payable, out, are for the locomotive "John Dockery," and other rolling stock, due 1st February, 1861. Requisitions outstanding up to November, 1859, \$13,166 72, issued since \$5,219 62, for settlements had with contractors and others. Amount redeemed, \$1,765 82, leaving a balance, yet out, of \$16,620 52, interest 8 per cent.

The statement under the caption of "Recapitulation," shows a balance of \$312,416 03. In this balance is included the amount due from the stockholders \$199,784 62. What proportion of this latter sum will ultimately be realized, I am

unable to state, but believe, much of it due from irresponsible persons, whilst still another portion is in litigation, and it will probably be several years before the suits can be finally determined, as the parties sued have, in every instance, carried their cases to the supreme court, when determined against them in the circuit courts.

The receipts of the 7½ miles of road now in operation, will more fully appear by reference to the above statement. I cannot state with accuracy the amount of expenses of the road now in operation, but they are estimated at from \$750 to \$1,000 per month.

My thanks are due to the several officers of the road for the uniform kindness and courtesy which have ever characterized their conduct towards me.

All of which is respectfully submitted.

ED. C. WILSON,

Secretary M. O. & R. R. R. R. Co.

The following message was received from the governor:

Mr. PRESIDENT—

I am instructed by the governor to inform your honorable body that, on the 6th day of December, 1860, he approved and signed "an act to authorize the clerk of the circuit court of Lawrence county to transcribe certain records of his office."

W. M. MATHENY,

December 10th, 1860.

Private Secretary.

Motions and resolutions were in order.

Mr. Terry offered the following

RESOLUTION:

Resolved, That the committee on "federal relations" be instructed to enquire into the propriety of authorizing an election of delegates to a state convention, to take into consideration the present aspect of affairs; and that they be instructed to report by bill, or otherwise, at some early period of the session.

Which was read, and, on motion of Mr. Terry, adopted.

Reports from standing committees were in order.

Mr. Davies, from the committee on claims, made the following

REPORT:

Mr. PRESIDENT—

The committee on claims, to which was referred Senate

bill No. 56, "for the relief of John W. Williams, of Hempstead county, Arkansas," have had the same under advisement, and a majority of said committee have instructed me to report the same back to the Senate, and recommend its passage.

J. F. DAVIES, *Chairman.*

Which report was read; and

On motion of Mr. Clark, the bill was read the third time and passed.

Message from the House of Representatives by the clerk:

Mr. PRESIDENT

I am instructed to inform your honorable body that the House of Representatives have passed the following House bills, viz:

No. 66, to be entitled "an act concerning guardians and wards."

No. 70, to be entitled "an act to amend chapter 100 of the Digest, under the head of 'Landlord and Tenant.'"

No. 123, to be entitled "an act amendatory of the school law for Phillips county."

No. 145, to be entitled "an act amendatory of an act passed at a previous session of the legislature of Arkansas, declaring the Ozan creek a navigable stream."

No. 146, to be entitled "an act to authorize the common school commissioner of Carroll county to sell the 16th section in Carroll county."

No. 148, to be entitled "an act to incorporate the Marysville Male and Female Academy, in Columbia county, and to prohibit the sale of spirituous liquors within two miles of the same."

No. 150, to be entitled "an act to incorporate the city of Pine Bluff, in Jefferson county, Arkansas."

Said 7 House bills are herewith transmitted for the assent of your honorable body, which is respectfully asked.

The House of Representatives have concurred in Senate amendment to House bill No. 36, entitled "an act to provide for the election of a tax collector for Phillips county."

The House of Representatives have amended and assented to, as amended, Senate bill No. 34, to be entitled "an act in reference to appeals, in swamp land cases, to the auditor."

Said bill is herewith returned, and the amendments thereto attached, transmitted for the concurrence of your honorable body, which is respectfully asked.

The House of Representatives have passed the following House bills, to-wit:

No. 109, amendatory of the present law providing for the election of the different state land agents.

No. 73, entitled "an act to amend section 2, article 7, chapter 51, of Gould's Digest."

No. 103, entitled "an act to amend section 7, of the 147th chapter of Gould's Digest of the Statutes of Arkansas, under the head of the revenue of the counties.

Said three bills are herewith transmitted for the assent of your honorable body, which is respectfully asked.

S. M. SCOTT, *Clerk of*

House of Representatives.

Mr. Watkins, from the committee on ways and means, made the following

REPORT:

Mr. PRESIDENT—

The committee on ways and means, to whom was referred Senate bill No. 7, to be entitled "an act for the promotion of the agricultural and mechanical interests of this state," have had the same under consideration for some time, but being unable to agree upon said bill, I report the same to the Senate, and ask to be discharged from further consideration of the same.

WATKINS, *Chairman.*

Which report was read and adopted, and the committee thereby discharged from the further consideration of the bill.

Mr. Fagan, from the committee on enrollments, made the following

REPORT:

Mr. PRESIDENT—

The committee on enrollments have examined "an act to provide more fully for the incorporation of the town of Paraclifta," and instruct me to report the same correctly enrolled.

FAGAN, *Chairman.*

Read and received.

Mr. Fagan, from said committee, also, made the following

REPORT:

Mr. PRESIDENT—

I have the honor to report that, on this the 10th day

of December, 1860, I handed to the governor, for his consideration, "an act to incorporate the Helena Home Insurance Company."

FAGAN, *Chairman*

Committee on Enrollments.

Read and received.

Mr. Trimble, from a select committee made the following

REPORT:

Mr. PRESIDENT—

The select committee, to whom was referred House bill No. 111, entitled "an act to provide for the registration of scrip and treasury warrants of Independence county," have had the same under consideration, and the committee have instructed me to report the same back to the Senate, and recommend its passage.

TRIMBLE *Chairman.*

Which report was received, and,

On motion of Mr. Trimble, the bill was read the third time by title and passed.

Mr. Mitchell, from a joint select committee, made the following

REPORT:

Mr. PRESIDENT—

The committee appointed to act in connection with the committee on the part of the House to make suitable arrangements for the funeral of the late Hon. W. A. JONES, would respectfully report that they, in conjunction with the House committee, agreed upon the following programme and order of the funeral obsequies, and the same was fully carried out and performed by both Houses on the 8th inst. And the committee ask that the order of programme be spread upon the journal.

MITCHELL, *Chairman,*
on part of Senate.

ARRANGEMENT AND ORDER OF THE FUNERAL OBSEQUIES OF HON.

WM. A. JONES.

The two Houses will meet at the Capitol at 1½ o'clock, and march in the following order to the residence of Alexander George, to receive the body.

- 1.—Committees.
- 2.—Band of music.
- 3.—The Senate preceded by its officers.
- 4.—The House of Representatives preceded by its officers.
- 5.—The governor and executive officers and the Judiciary.
- 6.—Military and citizens.

After leaving the residence of Mr. George, the body accompanied by pall bearers, will be placed in front of the Senate.

Hon. O. JENNINGS, }
 " J F. FAGAN. } Marshals

After receiving the body, will return to the Capitol in same order and convene in Senate chamber, where a funeral discourse will be delivered by Rev. W. C. Stout.

ORDER OF EXERCISES AT SENATE CHAMBER:

Music.

Prayer.

Sermon.

Music.

Procession will escort the body to the ferry landing, to be delivered to the Hons. G. W. Lemoyne, of the Senate, and J. W. Landrum, of the House, to be conveyed to his residence in St. Francis county.

PALL BEARERS ON PART OF SENATE.

Messrs. Watkins, Belser, McColloch and Pennington.

PALL BEARERS ON PART OF THE HOUSE.

Messrs. Davie, Killgore, Garland and Cravens.

Adopted by committees.

MITCHELL, *Chairman*
on part of Senate.
 DUVAL, *Chairman*
on part of House.

Said report and programme were received and ordered to be spread upon the journal.

The introduction of bills was in order.

No. 68. Mr. Pennington presented a petition accompanied by a bill to be entitled an act to authorize a change of streets in section sixteen, in township seven south, in range nineteen west.

Said bill was read the first time.

On motion of Mr. Pennington, the rules were suspended, the bill read the second time by title, and referred with the petition, to a select committee of three.

Mr. President appointed Messrs. Pennington, Askew and Douglas as such committee.

No. 69. Mr. Douglas introduced Senate bill to be entitled an act for the relief of the counties of Benton and Madison.

Read the first time.

On motion of Mr. Douglas, the rules were suspended, the bill read the second time by title, and referred to the committee on judiciary.

No. 70. Mr. Askew introduced Senate bill to be entitled an act to permit free negroes and mulattoes still in the state, to remain until the first day of January, 1863.

Read the first time.

On motion of Mr. Askew, the rules were suspended, the bill read the second time by title, and referred to the committee on judiciary.

No. 71. Mr. McColloch introduced Senate bill to be entitled an act to authorize the governor to subscribe for stock in certain railroads.

Read the first time.

On motion of Mr. McColloch, the rules were suspended, the bill read the second time by title, and

On his further motion, it was referred to the committee on internal improvements.

No. 72. Mr. Fagan introduced Senate bill to be entitled an act for the relief of certain free negroes.

Read the first time.

On motion of Mr. Fagan, the rules were suspended, the bill read the second time by title, and referred to the committee on judiciary.

On motion of Mr. Clark, the amendments of the House to Senate bill No. 34, to be entitled an act in reference to appeals in swamp land cases to the auditor, were taken up.

The first amendment was read, and on motion of Mr. Clark, concurred in as follows:

Add to section 1, that in all cases heretofore decided by the local land agent, such appeal shall be taken within ninety days after the passage of this act, and in all cases which may arise hereafter, such appeal shall be prayed for within sixty days

after the rendition of the judgment complained of, and in all cases of appeal, notice shall be given to the adverse party.

The second amendment striking out the following section of the bill, was also, on motion of Mr. Clark, concurred in:

Section 3. The auditor shall be entitled to a fee of five dollars in each case, to be paid by the successful party before him.

On motion of Mr. Watkins, the petition of eight or nine hundred citizens of Carroll county, in behalf of Alexander Burns, a free negro, was taken up and read.

Mr. Oates moved that the prayer of the petitioners be refused, which motion was discussed by Messrs. Oates, Clark and Trimble in the affirmative, and Messrs. Watkins, Douglas and Askew in the negative.

Mr. Watkins called for the yeas and nays on the motion, which call was sustained, and made with the following result:

YEAS—Messrs. Belser, Clark, Davies, McColloch, McCreery, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, and Ward—12.

NAYS—Messrs. Askew, Carrigan, Craighead, Douglas, Fagan, Gray, McAlexander, Mecklin, Miller, Watkins and Mr. President.—11.

So the motion to refuse the prayer of the petitioners prevailed.

Message from the House of Representatives by the clerk:

Mr. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have passed the following resolution, to-wit:

Resolved, That the General Assembly, the Senate concurring, proceed to the election of an auditor of state on to-morrow the 11th inst., at 11 o'clock, a. m.

Said resolution is herewith transmitted for the concurrence of your honorable body, which is respectfully asked.

S. M. SCOTT, *Clerk of*
House of Representatives.

On motion of Mr. Rosson, the Senate adjourned until 9½ o'clock, to-morrow morning.

THOS. FLETCHER,
President.

TUESDAY, *December 11th*, 1860.

The Senate met.

Roll called.

PRESENT:

Messrs. Askew, Belser, Carrigan, Clark, Craighead, Davies, Douglas, Fagan, Gray, McAlexander, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President.—23.

Mr. Lemoyne was absent by order of the Senate.

The journal of yesterday was read, approved and signed.

On motion of Mr. Oates, the name of Mr. Terry was added to the committee on claims.

Motions and resolutions were in order.

Mr. Terry offered the following

RESOLUTION:

Resolved, That the judiciary committee be instructed to take into consideration the propriety of changing the present tax law so as to give persons in the state the same privilege with those out of it, that is, the right to redeem lands sold for taxes within twelve months from date of sale, and that they be requested to report by bill or otherwise at their convenience.

Read, and on motion of Mr. Trimble, adopted.

On motion of Mr. Trimble, the resolution of the House proposing to go into the election of auditor of this state at 11 o'clock, a. m., was taken up and read.

Mr. Trimble moved to concur.

Mr. Belser to amend by inserting 20th inst., in lieu of 11th, which amendment was lost.

The resolution was then concurred in, and the secretary directed to report the same to the House of Representatives.

Message from the House of Representatives by the clerk:

MR. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have assented to Senate bill No. 44, entitled an act to incorporate the Pocahontas and Gainesville Male and Female Colleges.

Said bill is herewith returned.

The House of Representatives have passed the following House bills.

No. 88, to be entitled an act to incorporate the Batesville Mutual Insurance Company.

No. 134, to be entitled an act to provide for a tax assessor in Sevier county.

No. 136, to be entitled an act to declare Moro lake navigable.

No. 157, to be entitled an act to protect Pleasant Hill church in Scott county, from disturbance by the sale of intoxicating liquors.

No. 151, to be entitled an act to provide for the election of a tax assessor in Phillips county.

No. 156, to be entitled an act amendatory to an act approved 15th January, 1857, incorporating Mt. Holly church and academy, in the county of Union.

Said 6 bills are herewith transmitted for the assent of your honorable body, which is respectfully asked.

S. M. SCOTT, *Clerk of
House of Representatives.*

Reports from standing committees were in order.

Mr. Oates, from the committee on judiciary, made the following

REPORT:

MR. PRESIDENT—

The judiciary committee to which was referred House bill No. 125, to be entitled an act to exempt Polk county from the operation of an act entitled an act to prevent the sale of spirituous liquors and wines to the Indians, and to make the laws of this state conform in this behalf, with the act of Congress entitled an act to regulate trade with the Indian tribes, and to preserve peace on the frontier, have had the same under consideration, and have instructed me to report the same back to the Senate and recommend its rejection.

OATES, *Chairman.*

Said report was received, and on motion of Mr. Oates, adopted, and the bill thereby rejected.

Mr. Oates, further from the committee on judiciary, made the following

REPORT:

MR. PRESIDENT—

The judiciary committee, to which was referred House

bill No. 124, to be entitled an act to repeal an act entitled an act to further amend the charter of Helena, have considered the same, and I am instructed to report the same back to the Senate and recommend its passage.

OATES, *Chairman*.

Said report was received; and

On motion of Mr. Oates the bill was read the third time and passed.

Mr. Davies, from the committee on claims made the following

REPORT:

MR. PRESIDENT—

The committee on claims, to which was referred a petition from T. J. Warner, of Lawrence county, Arkansas, have had the same under consideration, and a majority of said committee have instructed me to report the accompanying bill to the Senate and to recommend its passage.

DAVIES, *Chairman*.

No. 73. Said report was received, and the accompanying bill to be entitled an act for the relief of T. J. Warner, of Lawrence county, Arkansas, was read the first time.

On motion of Mr. Davies, the rules were suspended, the bill read the second time, by title.

Mr. Askew moved to amend the bill by striking out "one hundred," as referring to the amount appropriated, and inserting "two hundred;" which amendment prevailed on a division—12 voting in the affirmative and 8 in the negative.

Mr. Mecklin offered to amend the bill further by an additional section, to-wit:

SEC. — *Be it further enacted*, That the sum of two hundred dollars, be and is hereby appropriated out of any money in the treasury not otherwise appropriated, to pay Arthur Crawford, James Winn, J. M. Winn, Pinckney Cantrell, Thomas Gilstrap and C. G. Gilbreath, of Washington county, for pursuing — Davis, the murderer of ——— Clary and son, citizens of Texas, while traveling through Crawford county, in September last, and taking and delivering said Davis to the sheriff of Crawford county, on the 4th of October, 1860; and the auditor of public accounts is hereby directed to draw his warrant on the treasurer for said amount.

Which amendment was read; and

On motion of Mr. Askew, it was adopted.

On motion of Mr. Davies, the rules were suspended, the bill read the third time, as amended, and passed with the following title:

An act for the relief of T. J. Warner, of Lawrence county, and Arthur Crawford, James Winn, J. M. Winn, Pinckney Cantrell, Thomas Gilstrap and C. G. Gilbreath, of Washington county.

Mr. Clark, further, from the committee on education, made the following

REPORT:

Mr. PRESIDENT—

The committee on education, to whom was referred Senate bill No. 53, entitled an act to adopt the Arkansas Institute for the Blind, and endow the same, have had the same under consideration, and have instructed me to report said bill back to the Senate, and recommend its passage.

CLARK, *Chairman*

Which report was received, and the bill read for information.

Mr. Clark moved to put the bill on its final reading.

Mr. Oates moved it be recommitted to the committee on ways and means; which motion prevailed.

Mr. Davies moved to reconsider the vote of yesterday, concurring in House amendment to first section of Senate bill No. 34, to be entitled an act in reference to appeals in swamp land cases to the auditor; which motion prevailed, and said amendment was postponed for the present.

The introduction of bills was in order.

No. 74, Mr. Miller introduced Senate bill, to be entitled an act to incorporate the Franklin Male Institute, at Ozark, Arkansas.

Read the first time.

On motion of Mr. Rosson, the rules were suspended, the bill read the second time, by title, and referred to the committee on education.

Message from the House of Representatives, by the clerk:

Mr. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives are now ready to receive your honorable body in their hall, for the purpose of going into the election of auditor of state.

S. M. SCOTT, *Clerk,*
House of Reps.

On motion of Mr. Rosson, the Senate repaired to the hall of the House of Representatives, and being there seated, the roll of the Senate was called, by order of the President, when the following senators answered to their names:

Messrs. Askew, Belser, Carrigan, Clark, Craighead, Davies, Douglas, Fagan, Gray, McAlexander, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington Rosson, Terry, Trimble, Ward, Watkins and Mr. President—23.

The roll of the House of Representatives was then called by order of the Speaker, and it having appeared that there was a quorum of both houses present, the President of the Senate announced the object of the convention and stated that nominations for auditor of public accounts were in order.

Mr. Humphreys of the House, nominated William R. Miller.

Mr. Belser nominated Dandridge McRae of White county, but by request of Mr. McCreery, withdrew said nomination.

No other nominations being made, the rolls were called, when it appeared that on joint ballot William R. Miller, received 87 votes—23 in the Senate and 64 in the House.

Those senators voting for Mr. Miller, were

Messrs. Askew, Belser, Carrigan, Clark, Craighead, Davies, Douglas, Fagan, Gray, McAlexander, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—23.

Messrs. Cravens and Pennington, of the House, voted for Gordon N. Peay.

Mr. Du Val, of the House, voted for James A. Brown.

Whereupon, the President of the Senate announced that William R. Miller, having received a majority of all the votes cast, was duly and constitutionally elected auditor of public

accounts of the State of Arkansas, for and during the term prescribed by law.

The Senate returned to their chamber.

Mr. Oates, further from the committee on judiciary, made the following

REPORT:

MR. PRESIDENT—

The judiciary committee, to which was referred House bill No. 118, entitled "an act to legalize the administration on the estate of P. M. Johnson, deceased, have considered the same and instructed me to report the same back to the Senate and recommend its rejection.

OATES, *Chairman.*

Which report was received, and on motion of Mr. Rosson, adopted, and the bill thereby rejected.

Mr. Fagan, from the committee on enrollments, made the following

REPORT:

MR. PRESIDENT—

I have the honor to report that, on this the 11th day of December, 1860, I handed to the governor, for his consideration "an act to provide more fully for the incorporation of the town of Paraclifta."

FAGAN, *Chairman*

Committee on Enrollments.

Which report was read and received.

Mr. Oates, from the committee on judiciary, made the following

REPORT:

MR. PRESIDENT—

The judiciary committee, to which was referred House bill No. 102, entitled an act to legalize the record of certain marriage certificates in the county of Poinsett, have had the same under consideration, and I am instructed to report the same back to the Senate, and recommend its passage.

OATES, *Chairman.*

Which report was received; and on motion of Mr. Oates, the bill was read the third time and passed.

Mr. Oates, further from the committee on judiciary, made the following

REPORT:

MR. PRESIDENT—

The judiciary committee, to which was referred House bill No. 96, to be entitled "an act to authorize the county court of Benton county, Arkansas, to appoint a tax collector for the year 1860, have considered the same, and have instructed me to report the same back to the Senate and recommend its passage.

OATES, *Chairman*.

Which report was received, and, on motion of Mr. Douglas, the bill was read the third time and passed.

Mr. Oates, further from the judiciary committee, made the following

REPORT:

MR. PRESIDENT—

The judiciary committee, to which was referred Senate bill No. 62, to be entitled "an act for the relief of the several counties in this state, have considered the same, and I am instructed to report the same back to the Senate and recommend its passage.

OATES, *Chairman*.

Which report was received, and the bill read for information.

On motion of Mr. Pennington, the counties of Clark, Pike and Polk were excepted from the provisions of the bill.

On motion of Mr. Gray the counties of Dallas and Bradley were also excepted.

On motion of Mr. Carrigan the counties of Hempstead, Sevier and Lafayette were also excepted.

On motion of Mr. Mecklin, the county of Washington was excepted.

On motion of Mr. McColloch, the county of Ouachita was excepted.

On motion of Mr. Trimble, the county of Independence was excepted.

On motion of Mr. Rosson, the title of the bill was changed so as to read thus:

“An act for the relief of certain counties in this state.”

On motion of Mr. Oates, the bill was ordered to be engrossed for its third reading next Saturday, at 11 o'clock, a. m.

Mr. Oates, further from the committee on judiciary, made the following

REPORT:

MR. PRESIDENT—

The judiciary committee, to which was referred House bill No. 48, entitled an act to aid the citizens of Mountain township, Washington county, Arkansas, in suppressing the sale of spirituous and vinous liquors in said township, have had the same under consideration, and have instructed me to report the same back to the Senate, with the following amendment, and, as amended, to recommend its passage.

Amend by adding the following section:

SEC. 7. *Be it further enacted*, That the provisions of this act shall be in all respects applicable to the township of Franklin, in Calhoun county.

OATES, *Chairman*,

Which report was received; and

On motion of Mr. Oates, the amendment was adopted.

On the further motion of Mr. Oates, the bill was read the third time, as amended, and passed.

Mr. Oates, further from the committee on judiciary, made the following

REPORT:

MR. PRESIDENT—

The judiciary committee, to whom was referred House bill No. 49, to to be entitled “an act to abolish the office of land attorney and state collector,” have considered the same, and I am instructed to report the same back to the Senate, and recommend its rejection.

OATES, *Chairman*.

Said report was received; and

On motion of Mr. Oates, adopted, and the bill thereby rejected.

Mr. Oates, further from the committee on the judiciary, made the following

REPORT:

MR. PRESIDENT—

The judiciary committee, to whom was referred Senate bill No. 48, entitled "an act for the relief of Linn Boyd and others," have considered the same, and I am instructed to report the same back to the Senate and recommend its rejection.

OATES, *Chairman.*

Which report was received and adopted, and said Senate bill thereby rejected.

On motion of Mr. Watkins, the Senate adjourned until 9½ o'clock to-morrow morning.

THOS. FLETCHER,

President.

WEDNESDAY, *December 12, 1860.*

Senate met pursuant to adjournment.

Roll called.

P R E S E N T :

Messrs. Askew, Belser, Carrigan, Clark, Craighead, Davies, Douglas, Fagan, Gray, McAlexander, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—23.

Mr. Lemoyne was absent by order of the Senate.

The journal of yesterday was read, approved and signed.

Petitions and memorials were in order.

Mr. Douglas presented the account of S. C. Clayton, sheriff of Desha county, for \$502, as expenses incurred by him on a trip from Napoleon, Arkansas, to Nashville, Tennessee, in obedience to a requisition of the governor of Arkansas, to the governor of Tennessee, demanding the body of one Frank O'Neill, a fugitive, charged with murder.

Which account was read, and referred to the committee on claims.

Mr. McCreery presented the petition of seventeen citizens of White county, representing that Joseph Spencer, of said county, has been for many years afflicted with a chronic disease, whereby he is rendered unable to do manual labor, or to walk well alone, therefore they pray that said Joseph Spencer be granted license to peddle in this state, or in the counties of White, Jackson and Phillips.

Which petition was read, and on motion of Mr. McCreery, referred to the committee on memorials.

Motions and resolutions were in order.

On motion of Mr. Oates, House bill No. 151, to be entitled "an act to provide for the election of tax assessor in Phillips and Jackson counties," was taken up and read the first time.

On motion of Mr. Oates, the rules were suspended, the bill read the second time by title, and referred to a select committee of two.

Mr. President appointed as such committee, Messrs. Oates and McCreery.

Mr. Gray offered the following

RESOLUTION:

Resolved, That, with the concurrence of the House of Representatives, the two houses will, on Friday next, at 11 o'clock, a. m., go into the election of land attorney and state collector.

Read the first time.

On motion of Mr. Gray, the resolution was read the second time, by suspension of the rule, and on motion of Mr. Terry, it was adopted.

Mr. Clark offered Senate joint resolution No. 11, to-wit:

Resolved by the General Assembly of the State of Arkansas,

That our senators be instructed, and our representatives in Congress be requested to use their influence to have a weekly horse mail route established from Fort Smith, in Sebastian county, Arkansas, via Long Prairie P. O., James' Fork P. O., Sugar Loaf P. O., and Valley P. O., thence by Black fork of Porteau, to Dallas, in Polk county, and that the governor transmit a copy of this resolution to our senators and representatives.

Read the first time.

On motion of Mr. Clark, the rules were suspended, the resolution read the second time and adopted.

On motion of Mr. Oates, the vote referring House bill No. 151, was reconsidered, and on motion of Mr. McCreery, it was amended by striking out Jackson county.

On motion of Mr. Oates, the rules were suspended, the bill read the third time and passed.

Mr. Watkins offered the following

RESOLUTION:

Resolved, That the Senate will have an evening session on Friday next, to meet at 2 o'clock, p. m., and to have evening sessions every Tuesday and Friday thereafter at the above hour.

Mr. Watkins moved to adopt said resolution; which motion was lost, on a division—9 voting in the affirmative, and 13 in the negative.

The following message was received from the governor:

MR. PRESIDENT—

I am instructed by the governor to inform your honorable body, that on the 10th inst., Mr. John Quindley, treasurer of Arkansas, resigned his office, to take effect on this, the 12th inst., and that there will be a vacancy in said office.

W. M. MATHENY,

Private Secretary.

December 12th, 1860.

The introduction of bills was in order.

No. 75. Mr. McCreery introduced Senate bill, to be entitled "an act to establish separate courts in the county of Jackson."

Read first time.

On motion of Mr. McCreery, the rules were suspended, the bill read the second time by title, and referred to the committee on judiciary.

Message from the House of Representatives by the clerk:

MR. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have passed the following House bills:

No. 14, to be entitled “an act to invest the swamp and overflowed lands in the Champagnolle swamp land district as stock in the Mississippi, Ouachita and Red river railroad company.”

No. 68, to be entitled “an act to change the administration law.”

No. 163, to be entitled “an act to incorporate the Hickory Plains Male and Female Academy.”

Said three House bills are herewith transmitted for the assent of your honorable body, which is respectfully asked.

S. M. SCOTT, *Clerk of
House of Representatives.*

Message from the House of Representatives, by the clerk:

MR. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have adopted the following resolution:

Resolved, That the two houses of the General Assembly will meet in convention, in the representative hall, at 12 o'clock, m., to elect a treasurer to fill the vacancy occasioned by the resignation of John Quindley.

Said resolution is herewith transmitted for the concurrence of your honorable body, which is respectfully asked..

S. M. SCOTT, *Clerk of
House of Representatives.*

On motion of Mr. Terry, House resolution proposing to go into the election of state treasurer this day at 12 o'clock, m., was taken up, read, and on his motion, concurred in by the Senate.

No. 76. Mr Carrigan, introduced Senate bill, to be entitled “an act supplementary to an act, passed at the present session entitled ‘an act to provide more fully for the incorporation of the town of Paraclifta.’”

Read the first time.

On motion of Mr. Carrigan, the rules were twice suspended, the bill read the second and third times by title, and passed.

No. 77. Mr. McCreery introduced Senate bill, to be entitled “an act to incorporate the town of Searcy, in White county.”

Read the first time.

On motion of Mr. McCreery, the rules were suspended, the bill read the second time by title, and,

On motion of Mr. President, referred to the committee on judiciary.

Mr. Davies was called to the chair.

On motion of Mr. McColloch, House bill No. 14, to be entitled "an act to invest the swamp and overflowed lands in the Champagnolle district as stock in the Mississippi, Ouachita and Red river railroad company," was taken up and read the first time.

On motion of Mr. McColloch, the rules were suspended, the bill read the second time by title, and referred to the committee on internal improvements.

On motion of Mr. Carrigan, House bill No. 134, to be entitled "an act to provide for the election of a tax assessor in Sevier county," was taken up and read the first time.

On motion of Mr. Carrigan, the rules were twice suspended, the bill read the second and third times, by title, and passed.

On motion of Mr. McCreery, the vote referring Senate bill to incorporate the town of Searcy, in White county, to the committee on judiciary, was reconsidered, and on his further motion, said bill was referred to the committee on memorials.

No. 78. Mr. Trimble introduced Senate bill to be entitled an act to authorize the clerk of the circuit court of Independence county, to transcribe certain records in his office.

Read the first time.

On motion of Mr. Trimble, the rules were twice suspended, the bill read the second and third times by title, and passed.

On motion of Mr. Clark, House bill No. 157, to be entitled an act to protect Pleasant Hill church, in Scott county, from disturbance from the sale of intoxicating liquors, was taken up and read the first time.

On his further motion, the rules were suspended, and the bill read the second time by title.

Messrs. Oates and Craighead opposed the bill, and Mr. Clark offered to amend the first section by striking out the words,

“or use as a beverage,” but, on motion of Mr. President Fletcher, the bill was referred to the committee on judiciary.

On motion of Mr. Askew, House bill No. 156, to be entitled an act amendatory to an act approved 15th January, 1857, incorporating Mount Holly church and academy, in the county of Union, was taken up and read the first time.

On motion of Mr. Askew, the rules were twice suspended, the bill read the second and third times by title, and passed.

No. 79. Mr. McColloch, on leave, introduced Senate bill to be entitled an act for the relief of James W. Finley.

Read the first time.

On motion of Mr. McColloch, the rules were suspended, the bill read the second time by title, and referred to the committee on claims.

On motion of Mr. Fagan, the Senate took a recess.

At five minutes before 12 o'clock, M., the Senate met.

The following message was received from the House of Representatives:

MR. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives are now ready to receive your honorable body in their hall for the purpose of going into an election for treasurer to fill the unexpired term of Hon. John Quindley.

S. M. SCOTT, *Clerk of
House of Representatives.*

On motion of Mr. Fagan, the Senate repaired to the hall of the House of Representatives, and being seated therein, the roll of the Senate was called by order of the President, when the following senators answered to their names:

Messrs. Askew, Belser, Carrigan, Clark, Craighead, Davies, Douglas, Fagan, Gray, McAlexander, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—23.

The roll of the House was then called by order of the Speaker, and it having appeared that there was a quorum of both Houses present, the President announced the object of the convention, and stated that nominations were in order for state treasurer to fill the vacancy caused by the resignation of John Quindley.

Mr. Terry nominated James A. Martin.

Mr. Askew nominated John H. Crease. —

Mr. Crowell of the House, nominated Oliver Basham.

No other nominations were made.

By request of Mr. Pennington of the House, Mr. Askew withdrew the name of John H. Crease.

Mr. Crowell withdrew the name of Oliver Basham.

The rolls were then called, when it appeared that on joint ballot, James A. Martin received 74 votes—19 in the Senate and 55 in the House.

Those senators voting for James A. Martin, were

Messrs. Belser, Clark, Davies, Douglas, Gray, McAlexander, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—19.

Messrs. Askew, Carrigan, Craighead and Fagan voted for John H. Crease—4.

In the House, seven members voted for John H. Crease, making on joint ballot eleven votes.

Whereupon the President of the Senate announced that James A. Martin having received a majority of all the votes cast, was duly and constitutionally elected state treasurer for and during the unexpired term of John Quindley resigned.

The Senate then returned to their chamber, and on motion of Mr. Ward, adjourned until 9½ o'clock to-morrow morning.

THOS. FLETCHER,

President.

THURSDAY, *December 13th*, 1860.

The Senate met.

Roll called.

P R E S E N T :

Messrs. Askew, Belser, Carrigan, Clark, Craighead, Davies, Douglas, Fagan, Gray, McAlexander, McColloch, McCreery, Mecklin, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—22.

Mr. Davies asked and obtained leave of absence for Mr. Miller.

Mr. Lemoyne was absent by order of the Senate.

The journal of yesterday was read, approved and signed.

Petitions and memorials were in order.

Mr. McCreery presented the petition of 46 citizens of White county, mostly mechanics, representing that the laws of the state by which the honest free mechanics are subjected to competition with slave mechanics, are unjust and incompatible with the spirit and intention of southern institutions, whereupon they memorialize the General Assembly to pass laws prohibiting the exercise of any of the traders' and mechanics' acts by any slave or free negro under such pains and penalties as may be deemed right.

Said memorial was read and ordered to be laid on the table for the present.

Reports from standing committees were in order.

Mr. Carrigan, from the committee on internal improvements, made the following

REPORT:

MR. PRESIDENT—

The committee on internal improvements, to which was referred House bill No. 14, to be entitled an act to invest the swamp and overflowed lands as stock in the Mississippi, Ouachita and Red river railroad company, have had the same under consideration, and a majority of said committee have instructed me to report the same back to the Senate and recommend its passage.

CARRIGAN, *Chairman*.

Said report was received.

Mr. Davies asked time to prepare a minority report, and on motion of Mr. Rosson, the bill and majority report were laid on the table for the present.

Mr. Rosson, from the committee on swamp and overflowed lands, made the following

REPORT:

MR. PRESIDENT—

The committee upon swamp and overflowed lands, to which was referred Senate bill No. 50, to be entitled an act authorizing the purchase of a culvert in Old river in Pulaski county, have considered the same, and with the amendment attached, recommend the passage of the same.

ROSSON, *Chairman.*

Amend by adding after the last word in the second section the following:

Out of the swamp land fund of the Little Rock district; *Provided*, That no other fund than the fund of said district shall be responsible for the payment of the same or any damages incurred thereby.

Said report was received, and on motion of Mr. Rosson, the amendment was adopted.

On motion of Mr. Rosson, the bill was read the third time as amended, and passed.

Message from the House of Representatives by the clerk:

MR. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have passed the following House bills, to-wit:

No. 108, to be entitled "an act to incorporate the St. Francis river Navigation Company.

No. 114, to be entitled "an act to remove the swamp land office from the town of Batesville, to the city of Jacksonport."

Said two House bills are herewith transmitted for the assent of your honorable body, which is respectfully asked.

S. M. SCOTT, *Clerk of
House of Representatives.*

[Mr. Pennington, from a select committee made the following

REPORT:

MR. PRESIDENT—

The select committee to whom was referred Senate bill No. 68, to be entitled an act to authorize a change of streets in section 16, in township 7 south, Range 19 west, have considered the same and instructed me to report the same back and recommend its passage.

PENNINGTON, *Chairman.*

Said report was received, and on motion of Mr. Pennington, the bill was read the third time and passed.

The introduction of bills was in order.

No. 80, Mr. McAlexander introduced Senate bill to be entitled an act amendatory of an act for the benefit of the citizens of township 16 north, of range 1 west, approved 5th February 1859.

Read the first time.

On motion of Mr. McAlexander, the rules were suspended, the bill read the second time by title, and referred to the committee on education.

No. 81. Mr. Belser introduced Senate bill, to be entitled an act to enable married women to dispose of their separate estates.

Read the first time.

On motion of Mr. Belser, the rules were suspended, the bill read the second time by title, and referred to the committee on judiciary.

No. 82. Mr. Carrigan introduced Senate bill, to be entitled an act to incorporate the Arkansas Synodical College, at Arkadelphia.

Read the first time.

On motion of Mr. Watkins, the rules were suspended, and the bill read the second time, by title.

Mr. Watkins moved a further suspension of the rules for the third reading of the bill.

Mr. Davies objected, and on his motion, the bill was referred to the committee on education.

No. 83., Mr. Douglas introduced Senate bill, to be entitled an act to change the salary of the financial receiver of the Bank of the State of Arkansas, to a per centum on all sums collected by him, and for other purposes.

REPORT OF LEVEE AND DITCH WORK, UNFINISHED TO DATE.

LIST OF CONTRACTS for the construction of Levees and Ditches in the **LITTLE ROCK SWAMP LAND DISTRICT**; showing also the amount paid, and to be paid to finish the same.

NAME OF CONTRACTOR.	County in which contract is located.	Ditch or Levee.	Date of Contract.	When to be Finished.	Amount of the Contract.	AMOUNT PAID ON CONTRACT.	Approximate amount due on contract when finished.	REMARKS.
John H. Carroll	Conway	Ditch	July 12th, 1858.	January 1st, 1859.	\$ 946 80		\$ 946 80	Extended to Dec. 1, 1861, by Gov. Conway.
same	same	Ditch	July 13, do	same	793 40		793 40	do do
A. Killian	Pulaski	Clearing out La Fourche creek.	January 26, 1859.	October 30, 1860.	4,500 00	November 4, 1859, \$600 00; October 19, 1859, \$600 00; December 1, 1859, \$1,800 00	3,000 00	do do
John A. Paine	Arkansas	Levee	October 24, do	February 1, do	5,140 00	January 12, 1860, \$3,524 58; February 27, 1860, \$1,110 30	4,634 88	do do
Thomas J. Trueheart	Jefferson	Levee	Nov'r 23, do	December, 31, 1860.	2,330 90			do do
William C. Stout	Perry	Ditch	December 5, do	do 1, do	100 00		2,330 90	do do
Wil. Williams	Jefferson	Levee	January 9, 1860	June 1, 1860.	3,448 71	April 10, 1860, \$730 29; May 11, 1860, \$611 26.	100 00	do do
James B. Johnson	Pulaski	do	January 18, do	October 1, 1860.	7,096 05	April 10, 1860, \$1,253 80; May 10, 1860, \$1,353 77; May 28, 1860, \$694 61; October 28, 1860, \$439 94.	1,341 55	do do
A. B. C. DuBoze	Arkansas	do	February 11, do	November 1, 1860.	487 80		3,742 12	do do
John W. Paine	same	do	do 18, do	May 1, 1860	2,628 39	February 27, 1860.	487 80	do do
Dr. James L. Goree	same	Ditch	do 23, do	June 1, do	400 00		2,047 41	do do
John W. Paine	same	Levee	March 9, 1860	July 1, do	12,202 21	March 17, 1860, \$1,041 76; April 10, 1860, \$972 85; May 11, 1860, \$446 33.	400 00	do do
John A. Winston	Pulaski	do	April 11, 1860	January 1, 1861.	787 15		2,460 94	do do
Thomas J. Trueheart	Prairie	do	do 23, do	May 1, 1861	2,435 83		787 15	do do
Wm. J. Bass	Jefferson	do	do 28, do	April 1, 1861.	1,121 64		2,435 83	do do
Peter Mocklan	Pulaski	do	May 1, do	January 1, 1862.	14,860 40	May 1, 1860, \$399 18; May 31, '60, \$757 59; June 30, '60, \$851 80; July 26, '60, \$752 15; Oct. 8, '60, \$350 60; Nov. 3, '60, \$1,026 60	1,121 64	do do
Arnold & Jones	White	Ditch	June 8, do	June 1, 1861.	1,400 00		10,722 48	do do
James Neal	same	do	same	same	1,000 00		1,400 00	do do
Littleberry Parker	same	do	same	same	1,250 00		1,000 00	do do
Judge P. A. McDaniels	same	do	same	same	800 00		1,250 00	do do
Dr. Bracy McKee	same	do	same	same	1,000 00		800 00	do do
Jos. S. Moore	Pulaski	Levee	June 25, 1860.	December 31, 1861.	4,312 00		1,000 00	do do
Edd. Cassin	same	do	June 30, do	July 1, 1861.	12,091 00	August 15, 1860, \$884 00; October 10, 1860, \$1,754 67; November 30, 1860, \$1,401 40.	4,312 00	do do
Thomas Ryan	same	do	August 16, 1860	December 31, 1861.	8,854 31	October 19, 1860, \$760 29; November 30, 1860, \$791 20.	4,040 07	do do
John W. Langtree & O'Brien	same	do	August 20, do	June 1, 1861.	9,006 65	October 12, 1860, \$1,206 20; November 12, 1860, \$1,953 80.	1,551 49	do do
Edd. Cassin	same	do	September 14, 1860	same	12,621 00	November 30, 1860.	3,160 00	do do
Michael Lacy	Jefferson	do	do 17, do	May 1, 1861	5,427 32		781 60	do do
Willoughby Williams	same	do	October 8, 1860.	April 1, do	1,937 40		5,427 32	do do
W. Q. Pennington	Pulaski	do	do 25, do	December 25, 1861.	6,624 00		1,937 40	do do
same	same	do	same	same	6,918 00		6,624 00	do do
John Jordan	Arkansas	do	November 5, 1860.	same	17,000 00		6,918 00	do do
Thomas Ryan	Pulaski	do	November 10, 1860.	December 31, 1861.	9,368 21		17,000 00	do do
John C. Harlan	Arkansas	do	same	do 25, do	5,423 00		9,368 21	do do
John Jordan	same	do	same	do 25, do	2,600 00		5,423 00	do do
Ewen McDonald	Pulaski	do	same	do 31, do	22,000 00	November 14, 1860.	2,600 00	do do
J. E. Garfield	same	do	November 13, 1860.	April 1, 1861.	1,718 35		800 00	do do
Total.....					\$ 190,630 52	Total.....	\$ 31,697 95	\$ 158,932 54

BATESVILLE SWAMP LAND DISTRICT.

NAME OF CONTRACTOR.	County in which contract is located.	Ditch or Levee.	Date of Contract.	When to be Finished.	Amount of contract.	AMOUNT PAID ON CONTRACT.	Approximate amount due on contract when finished.	REMARKS.
Hiram H. Brown	Randolph	Levee	February 12th, 1859.	February 10th, 1862.	\$ 500 00		\$ 500 00	
John C. Hill	St. Francis	Ditch	August 19, 1859.	January 1, 1861.	4,500 00	October 20, 1859, \$3,000 00; December 5, 1859, \$574 60	874 60	
A. G. Perryman	Greene	do	October 28, do	December 25, 1860.	2,382 37	August 30, 1860, \$200 00; November 26, 1860, \$1,000 00.	1,200 00	
F. H. Jenkins	Lawrence	Levee	October 29, do	same	312 11	November 26, 1860, \$214 60.	214 60	
Andrew J. Johnston	Randolph	do	November 4, do	same	126 83	November 26, 1860, \$70 60.	70 60	
same	same	do	same	same	348 87		348 87	
Cannon Harris	same	do	November 5, 1859.	same	560 00		560 00	
Wm. R. Cain	same	Ditch	same	same		July 3, 1860, \$540 65; August 30, 1860, \$1,375 00; November 23, 1860, \$2,500 00.	4,415 65	Amount of contract not estimated.
Lester & Mellon	Lawrence	do	same	same	3,700 00	July 3, 1860, \$175 00; August 30, 1860, \$1,000 00; November 23, 1860, \$1,500 00.	3,075 00	
James W. Landrum	St. Francis	do	May 15, 1860.	May 15, 1862.	5,972 80	July 14, 1860, \$1,173 32; October 1, 1860, \$586 69; November 26, 1860, \$1,056 00.	2,815 92	
G. W. Seaborn	same	do	same	same	6,336 00	July 14, 1860, \$1,056 00; October 1, 1860, \$1,056 00; November 26, 1860, \$1,056 00.	3,168 00	
Alexander M. Davis	Craighead	do	June 23, 1860.	December 25, 1861.	5,000 00	October 21, 1860, \$740 74; November 26, 1860, \$595 00.	1,335 74	
Wm. Bagwell	same	Levee	same	same	800 00	November 26, 1860.	250 00	
Samuel McAuley & Co.	Jackson	do	August 7, 1860.	January 1, 1862.	130,000 00		130,000 00	
Lester & Mellon	Greene	Ditch	do 23, do	December 25, 1861.	700 00	August 30th, 1860.	150 00	
same	same	do	same	same		August 30, 1860, \$1,250 00; November 23, 1860, \$2,750 00.	5,000 00	Not estimated.
James M. Reynolds	Randolph	Ditch	August 31, 1860.	December 1, 1861.	3,813 00	November 26, 1860.	1,000 00	
Walter T. Stayton	same	do	September 1, 1860.	same	10,560 00	do do	250 00	
James W. Reeves	same	do	do 3, do	December 25, 1861.	3,168 00		3,168 00	
D. F. Davies	same	do	do 6, do	same	2,076 00		2,076 00	
J. T. Crowley & Charles Lancaster	Greene	do	do 8, do	same	1,050 00	November 24, 1860.	350 00	
John Newberry	same	do	do 8, do	same	2,000 00	November 24, 1860.	450 00	
B. J. Wiley	Lawrence & Randolph	do	do 8, do	same	4,148 00	do do	750 00	
Walter T. Stayton	Randolph	do	do 8, do	same	2,195 00	do do	1,000 00	
Larkin Wiley	Greene	do	do 11, do	same	2,400 00	November 24, 1860.	1,500 00	
Grombug & Eubank	same	do	do 11, do	same	6,520 00	November 26, 1860.	900 00	
George H. Ballard	Lawrence	do	do 13, do	same	10,000 00		900 00	
J. G. Nelson	Greene	do	do 15, do	same	4,263 00	November 24, 1860.	500 00	
J. A. Burke and W. T. E. Armstrong	Craighead	do	do 20, do	October 1st, 1862.	16,750 00		16,750 00	
Total.....					\$ 229,684 56		\$ 28,970 11	\$ 210,130 10

CHAMPAGNOLLE DISTRICT.

NAME OF CONTRACTOR.	County in which contract is located.	Ditch or Levee.	Date of the contract.	When to be finished.	Amount of contract.	AMOUNT PAID ON CONTRACT.	Approximate amount due on contract when finished.	REMARKS.
John Matlock.....	Onachita.....	Levee.....	December 8, 1857....	August 1st, 1858....	\$35,000 00	January 13, 1858, \$1,803 10; Feb. 11, 1858, \$1,793 20; March 22, 1858, \$869 40; March 22, 1858, \$4,719 60; May 14, 1858, \$2,575 60, May 25, '58, \$5,122; June 16, '58, \$1,237 05; June 16, '58, \$758 55; July 6, '58, \$6,915 80; June 20, '59, \$257 50; Oct. 24, '60, \$1,299 60, \$27,351 40	\$7,648 60	Extended to Dec. 31, 1862, by Gov. Conway.
					\$35,000 00	\$27,351 40	\$7,648 60	

CLARKSVILLE DISTRICT.

NAME OF CONTRACTOR.	County in which contract is located.	Ditch or Levee.	Date of the contract.	When to be finished.	Amount of contract.	AMOUNT PAID ON CONTRACT.	Approximate amount due on contract when finished.	REMARKS.
John Wood.....	Yell.....	Ditch.....	April 26, 1859.....	May 1, 1861.....	\$ 1,000 00		\$1,000 00	
N. B. Burrow.....	Crawford.....	Levee.....	June 2, 1860.....	January 1, 1861.....	486 50		486 50	
E. B. Alston.....	Johnson.....	Ditch.....	June 5, 1860.....	March 1, do.....	2,288 20		2,288 20	
G. W. Collier.....	do.....	do.....	June 6, 1860.....	do 1, do.....	910 60		910 60	
A. G. Smith.....	Crawford.....	do.....	September 26, 1860.....	July 1, do.....	5,845 40	October 30, 1860.....	\$ 1,500 00	
Asbury Waddell.....	do.....	do.....	October 26, 1860.....	August 1, 1861.....	5,412 00		5,412 00	
					\$15,942 70	\$ 1,500 00	\$ 14,442 70	

WASHINGTON DISTRICT.

NAME OF CONTRACTOR.	County in which contract is located.	Ditch or Levee.	Date of the contract.	When to be finished.	Amount of contract.	AMOUNT PAID ON CONTRACT.	Approximate amount due on contract when finished.	REMARKS.
Michael Nash.....	Clark.....	Ditch.....	December 13, 1859....	November 1, 1860....	\$ 3,996 20	May 19, 1860, \$400 00; November 26, 1860, \$1,500 00.....	\$ 1,900 00	Extended to Dec. 31, 1861, by Gov. Conway.
Lewis B. Ford.....	Lafayette.....	Levee.....	January 17, 1860.....	January 1, 1861.....	2,362 75	September 24, 1860.....	1,822 85	
Henry M. Le May.....	same.....	do.....	January 20, 1860.....	same.....	1,087 35		539 90	
					\$ 7,446 30	\$3,722 85	\$ 3,723 45	

RECAPITULATION.

	Amount of contract.	AMOUNT PAID ON CONTRACT.	Approximate amount due on contract when finished.	REMARKS.
LITTLE ROCK Swamp Land District.....	\$ 190,630 52		\$ 31,697 98	
BATESVILLE do do do.....	229,684 56		23,970 11	
CHAMPAGNOLLE Swamp Land District.....	35,000 00		27,351 40	
CLARKSVILLE do do do.....	15,942 70		1,500 00	
WASHINGTON do do do.....	7,446 30		3,722 85	
GRAND TOTAL.....	\$ 478,704 08		\$ 93,242 34	\$ 394,877 39

I HEREBY CERTIFY that the above statements are true extracts from the contracts filed in the Swamp Land Office.

ARNOLD SYBERG, State Engineer.

ENGINEER'S OFFICE, December 8th, 1860.

Read the first time.

On motion of Mr. Douglas, the rules were suspended, the bill read the second time by title, and referred to the committee on banks.

House bills on their first reading were ordered to be taken up.

House bill No. 32, to be entitled "an act to amend chapter one hundred and twenty-six of Gould's Digest, was read the first time.

On motion of Mr. Rosson, the rules were suspended, and the bill read the second time by title.

On motion of Mr. Askew, the bill was amended by striking out "one hundred," as referring to the amount for license, and inserting "five hundred."

On motion of Mr. Rosson, the bill, as amended, was referred to the committee on judiciary.

House bill No. 66, to be entitled an act concerning guardians and wards, was read the first time.

On motion of Mr. Rosson, the rules were suspended, the bill read the second time by title, and,

On motion of Mr. Davies, it was referred to the committee on judiciary.

House bill No. 68, to be entitled an act to change the administration law, was read the first time.

On motion of Mr. Pennington, the rules were suspended, the bill read the second time by title, and referred to the committee on judiciary.

House bill No. 70, to be entitled an act to amend chapter 100 of the Digest, under the head of "landlord and tenant," was read the first time.

On motion of Mr. Pennington, the rules were suspended, the bill read the second time, by title, and referred to the committee on judiciary.

House bill No. 73, to be entitled an act to amend section 2 of article 7, part iv, chapter 51, of Gould's Digest, was read the first time and took its course under the rules.

House bill No. 79, to be entitled an act to amend section

1st of chapter 112, of Gould's Digest, under the head of mechanics, was read the first time.

Mr. Askew moved to reject the bill; which motion was lost.

On motion of Mr. Fagan, the rules were suspended, the bill read the second time by title; and,

On motion of Mr. Watkins, it was referred to the committee on judiciary.

Mr. Fagan was called to the chair.

House bill No. 88, to be entitled an act to incorporate the Batesville Mutual Insurance company, was read the first time.

On motion of Mr. Trimble, the rules were suspended, the bill read the second time by title; and referred to a select committee of three.

Mr. President appointed as such committee, Messrs. Trimble, McColloch and Clark,

The following message was received from the governor:

MR. PRESIDENT—

I am instructed by the governor to inform your honorable body that on the 11th day of December, 1860, he approved and signed an act to incorporate the Helena Home Insurance company.

And, in compliance with a resolution passed by the Senate on the 5th December, inst., requesting the governor to report to the Senate the amount of levee and ditch work under contract, and not yet paid for in each of the swamp land districts, a list of the same is herewith transmitted, prepared under the supervision of Arnold Syberg, state engineer, as also a communication, addressed to the governor by him.

And is also transmitted herewith, the report of the President of the Fort Smith branch of the Cairo and Fulton railroad, with the recommendation that the same be printed as an accompanying document of the governor's message.

W. M. MATHENY,

Private Secretary.

December 13th, 1860.

ENGINEER'S OFFICE, Dec. 11th, 1860.

To His Excellency,

H. M. RECTOR,

Governor of Arkansas:

SIR—In obedience to instruction, I have the honor to lay before your excellency the result of my labor, "A list, containing the contracts of the different swamp land districts, showing the amount paid and to be paid thereon."

Respectfully submitted by

Your obedient servant,

ARNOLD SYBERG,

State Engineer.

☞ See supplementary table, page 267.

REPORT OF THE PRESIDENT AND CHIEF ENGINEER OF THE LITTLE ROCK
AND FORT SMITH RAILROAD COMPANY.

OFFICE OF THE LITTLE ROCK AND FORT SMITH BRANCH
OF THE CAIRO AND FULTON R. R. COMPANY, {
Van Buren, November 26th, 1860.

To His Excellency, HENRY M. RECTOR,

Governor of the State of Arkansas:

SIR—I beg leave to report the progress, present condition, and prospects of the Little Rock and Fort Smith Branch of the Cairo and Fulton railroad.

Very soon after the passage of the act of Congress of the 9th February, 1853, granting lands to the states of Arkansas and Missouri, for railroad purposes; this company was organized for the purpose of carrying out, in part, the objects of the grant. The charter was adopted on the 7th September, 1853, under the provisions of an act of the General Assembly, entitled "An act granting corporate powers for certain purposes," approved 8th January, 1851, and stock subscriptions were soon obtained to the amount of \$150,000. In the spring of the year 1854, the route was surveyed under the direction of competent engineers, and by an act of the General Assembly, approved 19th January, 1855, the lands along the line of the road were granted to the company, as fully, in all respects, as the same had been granted by Congress to the State, adopting, however, as the route, the survey of Capt. Joshua Barney, from Fort Smith, by way of Van Buren, on the north side of the Arkansas river, to Pope county, and from thence, the survey of Capt. R. L. Hunter to Little Rock. Soon after the passage of this act, efforts were made by the company to interest capitalists in the construction of the road, but their efforts were unsuccessful.

By the act of the General Assembly last referred to, the grant of lands was made to the company, on the express condition that they should, within four years from the passage of the act, complete ten, or grade twenty-five miles of the road. The company was anxious to comply with the requirements of the statute, but the available stock subscriptions did not seem to warrant the attempt, and it was not at that time deemed advisable to sell lands to raise means for that purpose. Before, however, the expiration of the time limited by the act of Assembly, the company made a contract with John J. Shoemaker for building and equipping the road. He failed to comply with his contract, accomplished nothing, and abandoned the country. Fortunately, the company sustained no loss by his faithlessness, yet it is to be regretted that a few individuals were swindled out of small amounts by this unprincipled adventurer. The General Assembly afterwards, by an act approved 1st February, 1859, released the company from their obligation to complete ten, or grade twenty-five miles of the road within four years from the passage of the act of 19th January, 1855. The company being deeply impressed with the necessity and importance of making further efforts to carry out the intention of Congress and the General Assembly, in making the grant of lands, determined by resolution of the directory, at a meeting of the board, held at Van Buren, on the 8th day of June, 1859, to commence work on the road at Van Buren, near its western terminus, and proceed thence eastward in the direction of Little Rock; and for the purpose of obtaining means to proceed with the work, it was determined by resolution of the board to sell a part of one hundred and twenty sections of the land granted to the company, and included within a continuous length of twenty miles from Van Buren, along the line of said road in the direction of Little Rock. Accordingly, a large amount of said land was advertised by the company, and offered for sale at public vendue, at the office of the company, in Van Buren, on the 15th day of November, 1859. It was soon discovered, however, that the demand for land was exceedingly limited, and consequently but little competition among bidders. It was therefore deemed advisable, after selling a few tracts of land, to discontinue the sale, with the view of selling at private sale, as opportunities might offer, on more advantageous terms.

On the 3d of December, 1859, a contract was entered into with Messrs. Waddell, Black, & Co., for the grubbing and clearing, grading and timber work, from Van Buren to Ozark, a distance of about 32 miles, and work was commenced on the road in January last, and continued with a small force until July, when the company, for the want of necessary means, were compelled to suspend the prosecution of the greater portion of the work. For a description of the character and amount of

the work done, as well as for other useful and interesting information relative to the road, I beg leave to refer to the accompanying report of the chief engineer, J. H. Haney, esq., marked "A."

The company being anxious to resume the work at the earliest day possible, in the month of July last, soon after the suspension of work, dispatched their agent to Col. R. J. T. White, to New York, with instructions to effect a loan, if possible, on the company's lands, to enable them to proceed with the work. This mission, I regret to say, was not successful, and consequently the work has not been resumed.

The land sales were made under authority conferred by the 5th section of the act of Congress of the 9th February, 1853, and the acts of the General Assembly granting the lands to the company. It is believed that the power of the company to make these sales under this authority, ought not to be questioned. The language of the act of Congress, and its whole scope and spirit seems to warrant this construction. See opinion of Mr. solicitor general Hempstead, of 23d February, 1858. The whole amount of land sold, including the amount sold to Messrs. Waddell, Black & Co., in part payment for work done under their contract, is *fourteen hundred acres*, but very little of which has been sold above the minimum price of two dollars and fifty cents per acre. When the company first determined to commence work on the road, their reliance for means to carry it on was the proceeds of the land sales, and moderate assessments on the stockholders, with the expectation, however, that the state would not ignore a work of such magnitude, but would, at an early day, extend to them such adequate aid as would enable them to employ a strong force, and push ahead the work energetically. But they have been disappointed. The receipts from land sales, and assessments on stockholders, have not been sufficient to enable them to continue the work. Hence the necessity of its present suspension.

It is understood that some exception has been taken to the action of the company, in commencing the work near the western terminus, instead of beginning at the eastern end of the road. This is not conceived to be a matter of serious importance. Most of the stockholders and directors reside in the western part of the state, where most interest has been taken in the construction of the road, and the company's available means being limited, it was thought, under all the circumstances, most proper to expend these means convenient to their domicile, and under their immediate supervision. As soon, however, as it is possible for the company to procure means, it is their design to commence work also at Little Rock, and progress westward.

For an exhibit of the financial condition of the company, I

beg leave to refer to the accompanying statement of the secretary, Mr. E. L. Taylor, marked "B," from which it will appear that the entire expenditures of the company, from its organization up to the present time, are \$26 308 36, and that its present indebtedness is \$4,122 29. The item of \$13,592 05 for engineering may appear disproportionately large, but it should be observed that over \$9,000 of it is for expenses incurred in the original survey of Capt. Barney, and the residue only has been incurred since the employment of Mr. J. H. Haney, as chief engineer.

It is hardly necessary to state that the company is exceedingly anxious to resume the prosecution of the work which they have been compelled reluctantly to suspend. But the question occurs, how are the means to be obtained for this purpose? The land grant, at present, is not available. Under a different condition of things, and at a future day, after a considerable portion of the road shall have been graded, or completed, these lands must become a solid and reliable basis of credit, upon which the company may effect loans to enable them to complete the road. But the time has not yet come to effect such loans.

The act of Congress of the 9th February, 1853, requires the road to be built within ten years from its passage, and if this is not done, the land remaining unsold is to revert to the United States. Although our company will not be able to complete this road before the expiration of the ten years, yet it is hardly to be doubted, but that Congress, on application, will renew and extend the grant, especially if the company shall be able to make good progress in the prosecution of the work. How is this timely progress to be made? I answer, only by and through state aid, in some form or other; and under the present condition of things, the state being without credit abroad, this can only be done by appropriations from such surplus moneys as may be in the treasury, including the swamp land fund of the Clarksville district. Ought not these appropriations to be made? Surely the object is of sufficient importance to enlist the energies of the state. The first in magnitude, of the projected improvements in the state, is to be ranked the Memphis and Little Rock railroad, and next in importance, is the Little Rock and Fort Smith road, which is, in fact, but a continuation of the former. The latter, connecting with the former at Little Rock, traverses the valley of the Arkansas river to the Indian boundary, at Fort Smith. The counties through which it passes, and contiguous counties, north and south, have nearly doubled in population, and quadrupled in wealth, within the last ten years. The valley of the Arkansas, and its numerous tributaries between Little Rock and Fort Smith, contains hundreds of thousands of acres of the finest lands in the United States, but

a very small part of which, comparatively speaking, is in a state of cultivation. These lands are admirably adapted to the cultivation of cotton, corn, wheat, etc. Under the vivifying influences of a railroad, extending to this region of the state, the facilities of constant and reliable transportation, and uninterrupted communication with the rest of the world, western Arkansas would soon become one of the most prosperous and desirable districts of country in the Union. In addition to this, we have a country lying directly west of Fort Smith and Van Buren, of great fertility, and almost unbounded resources when fully developed, now occupied by the Cherokees, Choctaws and Creek Indians, and destined at no distant day to become powerful and prosperous states of our Union, with institutions and interests, in all respects, similar to those of Arkansas. The productions, trade and business of this region is already very considerable, but nothing to what it will be when its destinies shall be controlled by great and flourishing states. These extensive districts of country, with their almost unlimited resources, to be developed in the future, must rely in a great measure on this railroad, when built for an outlet to the markets of the world.

There also is the immense trade of New Mexico, which, with a little public spirit, ought to be diverted to Fort Smith and Van Buren. Heretofore, the frontier towns of Missouri have enjoyed a monopoly of this trade. But a more mild and genial climate on the Arkansas route to New Mexico, gives it very decided advantages over the Missouri route, which ought not to be overlooked by traders. With such advantages, present and prospective, this road, if built, would not only develop and unfold the resources of western Arkansas, and build up and establish its prosperity on firm foundations, but would, in the very nature of things, be highly remunerative, from the fact that there is no likelihood that a parallel, or competing road would ever be built within 100 miles north or south of it. The Arkansas river is wholly unreliable for purposes of navigation, and could not compete with a railroad if it were otherwise. We are, therefore, in western Arkansas, without the means of certain, cheap and easy transportation. We are, at this time, for want of such means of transportation, paying \$8 or \$9 per sack for salt, \$12 or \$13 per barrel for flour, exorbitant prices for coffee and sugar, and nearly all other necessities of life, while several hundred thousand dollars worth of merchandize, destined for western Arkansas and the Indian country beyond, has been detained, since last spring, at various points on the Arkansas river, for want of the means of *convenient, cheap and reliable transportation*.

While, then, the state is aiding other roads, may we not be pardoned for appealing to the enlightened liberality and public

spirit of the General Assembly, to *aid* us a little, in this our day of weakness. Other companies deserve assistance—we certainly need it; and will not the legislature, without further delay, adopt a liberal and comprehensive policy in reference to all her roads, looking to and insuring their ultimate completion? Our friends who live near the Mississippi river do not labor under the inconveniences that we do, and they ought not, and it is to be hoped, will not withhold their aid and support from measures looking to the improvement of the western part of the state. The west too, ought to act liberally and fairly towards the east, and also towards the northern and southern sections of the state, and this should be reciprocated. It is, therefore, most earnestly to be hoped, that the General Assembly will, at its present session, take a bold and decided stand, and assume the responsibility of inaugurating a new era in the history of internal improvements in Arkansas. Other states are moving ahead with giant strides in the race of improvement, while we move with tardy and reluctant steps. We have all the elements of a great and powerful state, and with our projected railroads completed, Arkansas would very soon take position with the proudest of her sisters. Let the state, then, give us a helping hand, and aid us in our great enterprise. It will inspire confidence among the people, and stimulate us to renewed and more zealous efforts to prosecute the work to its completion.

All of which is respectfully submitted.

JESSE TURNER,
President.

“A.”

CHIEF ENGINEER'S REPORT.

ENGINEER DEPARTMENT L. R. & F. S. R. Co, }
Van Buren, November 15th, 1860. }

*To the President and Directors of the Little Rock
and Fort Smith railroad company:*

GENTLEMEN—The following report upon the operations of the engineer department, is respectfully submitted.

Agreeably to your instructions, a party was placed in the field in the month of July, 1859, and the first division of twenty miles eastward from Van Buren, was definitely located, and approximate estimates of the quantity and cost of the work

made, preparatory to receiving proposals from contractors for its construction.

The line adopted does not vary greatly from the one recommended by Capt. Barney, your former chief engineer, being generally a little south of it, and is, I am convinced, the best that can be had. Accompanying the report of Capt. Barney, a large and finely executed map is given, carefully delineating the topographical features of the entire route from Fort Smith to Little Rock.

The section of country traversed by this survey is intersected by several important streams, tributary to the Arkansas, and having a general southerly direction, thus presenting a very undulating profile, and rendering necessary upon some parts of the line the adoption of steep gradients.

The twenty mile point is reached on the western slope of the high ridge dividing the waters of Mulberry river and White Oak creek, and the surveys were here terminated. The last two miles cannot be regarded as definitely located, as this must depend upon the topography of the hilly region beyond, to the mouth of White Oak, and more minute surveys will be necessary in order to determine the precise location of this part of the first division.

The location of the line into and through the city of Van Buren, depended wholly upon the kind of bridge to be erected over the Arkansas river at this place. Capt. Barney adopted and estimated for a draw bridge. But I can never consent to the erection of a draw bridge, where it can be avoided by a moderate increase of expenditure, as in this case. For the purpose of having the subject considered in its financial aspects, a statement of the character and cost of four different plans that were contemplated, were submitted to you last February, when it was left by you to my own judgment to decide. It is not necessary here to enumerate the considerations that urged me to adopt a high grade in crossing the river, so as to allow the free and uninterrupted passage of steamboats at all seasons, suffice to say that nothing embarrassed me more in the determination of the question than the recorded preference of Capt. Barney, an experienced and able engineer, for a draw bridge. My convictions, however, I am unable to remove. The line running upon the bench of ground north of Mr. Bostick's hotel, was therefore adopted, and the bridge site will be just below the residence of Maj. John Henry, where a fine approach is afforded by the mountain side. Frog bayou will be crossed by a bridge of 150 feet span, and Mulberry river by a single span of 220 feet in the clear.

The following is an exhibit of the characteristics of the first division.

ALIGNMENT.

LENGTH IN FEET.							Degrees Turned.
STATION.	Tangent.	20 min. curve.	17,190 feet Radius.	30 min. curve.	11,460 feet Radius.	1 degree curve. 5,730 feet Radius.	
59.32	5932	500	1950	600	3100	800	9d. 45m.
78.82	9818						1 40
177.	37319						3 00
182.	20781						15 30
555.19	12500						8 00
561.19	400	1700	17 00				
769.	10205						
800.	69650						
925.		500	5,600	2,500	54d. 55m.		
933.							
937.							
954.							
1056.							

It will thus be seen that 69,650 feet, equal to 18.37 miles, or 92 per cent. of the whole distance, is straight line, and 1.63 miles, or 8 per cent. curved line, with a minimum radius of 5,730 feet.

GRADIENTS.

Class.	Miles.	Per cent. of whole distance.
Level	9.86	50
20 to 30 feet per mile,	1.85	9
30 to 40 " " "	2.47	12
40 to 50 " " "	0.60	3
50 to 60 " " "	4.46	22
85 " " "	0.76	4
	20,00	100

Regarded as opposed to the passage of trains, the grades are arranged as follows:

Class.	Miles going	
	East.	West.
Level and descending.....	14.74	15.12
20 to 30 feet per mile, ascending.....	0.96	0.89
30 to 40 " " " ".....	1.54	0.93
40 to 50 " " " ".....	0.32	0.28
50 to 60 " " " ".....	2.41	2.02
85 " " " ".....		0.76
	20.00	20.00

It will be seen at a glance that 50 per cent. of the whole distance is level grade, and that trains going in either direction will have 75 per cent. of the whole distance level and descending grades. The sum of ascents is, going east, 234 feet; going west, 249 feet.

In some instances, short steep gradients have been preferred to long light ones. The maximum gradient of 85 feet per mile, ascending westerly from Frog bayou, may be reduced to 52.8 feet per mile, gradient 6,800 feet in length, but to do so now is inexpedient, as it would double the quantity of masonry at Frog Bayou, and nearly quadruple the quantity of excavation on section six, which is already quite heavy. This part of the line is on the most favorable ground to be found for miles up and down this stream. There is one gradient of 58.08 feet per mile, 3,400 feet in length on the eastern slope of the divide between Little Mulberry and the low bottom north of Vine Prairie lake. There are none others exceeding 52.8 feet per mile.

It may be remarked that the maximum gradient of 85 feet presents no obstacle to the successful operation of the road. Much heavier gradients occur, and for miles in length, on many of the roads traversing the mountainous regions of Virginia and Pennsylvania. Engines of ordinary weight and cost may be obtained, sufficiently powerful to move with ease a load of 200 to 250 tons up an 85 feet gradient.

CONSTRUCTION.

Provision has thus far been made for a first class railway. The timber will be cleared off 50 feet on each side of the line, and all trees outside of this limit that are liable to fall across the track will be felled.

The width of excavation will be 18 feet at grade, which affords ample room for side ditches. Embankment will be 13 feet in width at grade.

The gauge, it is presumed, will be 5 feet six inches; the same as the Memphis and Little Rock road, of which this is properly a continuation. I desire, however, to remark that much unnecessary expense might be saved in the outlay for permanent way, rolling stock, and in the daily operation of the road, by the adoption of a narrower gauge. Experience, no less than simple calculation, demonstrates that for all purposes of utility, the narrow gauge of 5 feet, or even 4 feet 8½ inches is ample. In any system of railways, uniformity of gauge is of the utmost importance to the interests of all. Sound economy would therefore dictate that the legislative authority of the state be brought to bear upon the subject, so as to insure this important and desirable end.

Soon after the completion of our survey, proposals were invited from contractors for the construction of the first division.

On the 3d of December, a contract was entered into with the firm of Waddell, Black & Co., composed of Messrs. A. Waddell, Samuel Black, R. B. Sycafoos and W. R. Waddell, all of Ohio, for the grubbing and clearing, grading, masonry and timber work, from Van Buren to Ozark, a point on the Arkansas river, a distance of about 32 miles.

The estimates upon which your proceedings were based were for the above mentioned work, and in addition, the right of way, cross ties, and track laying, for the 32 miles, \$284,000, which according to the terms of the contract required to be raised in money \$142,000. The engineering expenses should not exceed \$10,000. Upon this representation it was determined to undertake the work, and I am able to repeat the assurance that these figures are about correct, provided the work be pushed forward with ordinary energy and speed. It is but justice to remark that the expenses for engineering would not have been much greater, if the entire work on this division of the road had been in process of construction. It is not necessary now to present to you estimates of the cost of bridge superstructures, iron for tracks, rolling stock, buildings, etc., as they can be furnished whenever desired.

Work was begun about the middle of January, and a width of one hundred feet cleared from Van Buren to the line of Crawford and Franklin counties, a distance of sixteen miles. Grading was begun on section 3, where rock was encountered, and pushed steadily forward for nearly three months, when the sub-contractors abandoned it and left the country. The work was immediately re-let by the contractors to Mr. Lynch of Van Buren. Grading and masonry was soon after commenced on sections 2 and under Mr. Lynch, and on 13 and 14 under Mr. A. G. Smith, and driven forward by small forces until July, when it became apparent from causes best known to yourselves that it could not proceed much further. It was, therefore, determined to suspend the grading during the hot months of summer, when it was expected that more efficient measures would be adopted to raise the means requisite to its further prosecution, and only the masonry ordered to proceed. It was highly important that the foundations of such bridges as Flat Rock, Frog Bayou, and others should be secured while the water was at its lowest stage, and the contractors were directed to proceed energetically with this part of the work. Nothing, however, has been done upon these important structures, while contrary to orders, grading continued upon some portion of the work.

It is my duty to acquaint you with all delinquencies upon the part of the contractors, and the above is only one of the repeated flagrant violations of the terms of the contract, by refusing or

neglecting to comply with the orders of the engineer department.

You are aware that a serious and apparently insurmountable difficulty exists between the contractors, one of them, upon whose reputation and experience our main reliance was placed in the outset, refusing to work in connection with his co-partners, forbidding all transfers of land, and protesting against the use of his name. Unless this difference, which has been a source of great annoyance to the officers of the company, and especially to this department, be reconciled in some way between the contractors, and without further prejudice to the interests of the company, I cannot hesitate to urge it upon you that the contract ought to be declared forfeited. Sufficient causes exist to warrant the step, and the power to do so is expressly conferred upon the company's engineer.

The amount of work done foots up as follows:

Grubbing and clearing..16 miles cleared.

Grading 11,911 c. yards earth excavation.

“ 548 “ loose rock excavation.

“ 262 “ foundation pit “

Masonry 55.6 perches culvert masonry.

“ 60 perches stone delivered.

Timber work 1,900 c. ft. foundation timber deliv'rd.

Costing in all \$8,702 68.

LAND DEPARTMENT.

This important department of your affairs is without any special organization, its business being performed indiscriminately by the president, secretary and engineer, and has consequently, been much neglected. Maps of railroad lands in Crawford, Sebastian and Franklin counties have been furnished, and a map of the entire land grant been prepared suitable for engraving. Much good might be accomplished, and your interest greatly enhanced, if this department were systematized and placed under a special and efficient head.

GENERAL REMARKS.

The great necessity of a railroad up the valley of the Arkansas has been too well exemplified during the past year to need further illustration. Its importance to the business community and to the farmer is incalculable, and in my humble opinion, the interests which the state at large has involved in a railroad from Memphis to Fort Smith, as being a great advance in the direction of New Mexico and California, outweigh, by far, all her other schemes of internal improvement combined. Strong sectional prejudices, and individual interests that presume to control the legislative powers of the state, have thus far con-

tributed to defeat the success of the great enterprize you have in charge. Extraordinary exertions should be made at once, to obtain from the hands of the present legislature, those rights and benefits which the growing importance and pressing necessities of western Arkansas demand.

The business of your road, when completed, cannot be easily conjectured, but it must, in a few years, be very large and remunerative. There can be no competing road on the north nearer than White river, and on the south there can be none at all to the legitimate business of your road. It will connect at Little Rock with the roads to Cairo, Memphis and Napoleon on the Mississippi, and to Fulton, on Red river, thus affording direct communication by rail, with all parts of the Union.

Should the present legislature extend aid to any considerable amount, by appropriating money or other available means, work could be commenced on the eastern end of the road, as it is very desirable to have that portion from Little Rock to Lewisburg in process of construction at as early a day as possible. If these expectations are realized, it is recommended that this part of the work be placed under contract early the ensuing spring.

A good understanding ought to be maintained with all connecting roads upon various subjects of common interest, and occasional conferences should be held, so as to secure concert of action and a controlling influence in every direction in which those interests extend.

In conclusion, I desire to return my thanks to Mr. I. B. Riley, assistant engineer, and to all who have been employed in the execution of the surveys, for the ability and energy displayed in the performance of their respective duties.

Very respectfully,
J. H. HANEY,
Chief Engineer.

“ B.”

STATEMENT *from the books of the Little Rock and Fort Smith railroad company, November 1st, 1860.*

Stock—Amount installments paid in.....	\$14,646	03
Land—land sold to date.....	7,812	46
Waddell, Black & Co., in money.....	\$454	47
“ “ in land.....	324	08
“ “ in stock	870	26
	1,648	81

J. H. Haney, engineer, due on account.....	1,525 55
Due sundry individuals.....	2,142 27

CONTRA.

General expenses to date.....	4,043 07	
Engineering to date.....	13,592 05	
Grubbing, clearing and grading to date	8,673 24	
Bills receivable	1,466 76	
	<u>\$27,775 12</u>	<u>\$27,775 12</u>

E. L. TAYLOR, *Secretary.*Van Buren, Ark., *November 28th, 1860.*

OFFICERS.

DIRECTORS.

JESSE TURNER, Esq.....	Crawford county.
HENRY WILCOX, Esq	" "
CHARLES G. SCOTT.....	" "
SAMUEL M. HAYS.....	" "
A. J. WARD	" "
JOHN BOSTICK	" "
ISAIAH VINSANT	" "
*JOHN HENRY.....	" "
D. L. BOURLAND.....	Franklin county.
MOREAU ROSE	Johnson county.
LABAN C. HOWELL.....	" "
†JOHN E. MANLEY.....	" "
JACOB ROGERS.....	" "
DAVID WEST.....	Pope "
STEPHEN RYE.....	" "
WM. A. BARKER.....	" "
ANDERSON GORDON	Conway "
†ARTHUR HAYS.....	" "

President—JESSE TURNER.*Vice President*—HENRY WILCOX.*Secretary*—E. L. TAYLOR.*Treasurer*—P. PENNYWIT.*Chief Engineer*—J. H. HANEY.*Executive Committee*—JESSE TURNER, HENRY WILCOX, A. J. WARD, S. M. HAYS, C. G. SCOTT.*Land Committee*—S. M. HAYS, R. THRUSTON.

On motion of Mr. Davies, two hundred copies of the report of unfinished levee and ditch work, and of the report of the President of the Fort Smith branch of the Cairo and Fulton railroad, just sent to the Senate by the governor, were ordered to be printed for the Senate.

House bills on their first reading, were resumed.

House bill No. 103, to be entitled "an act to amend the 9th section of the 147th chapter of Gould's Digest of the Statutes of Arkansas, under the head of revenue of the counties," was taken up and read the first time.

On motion of Mr. Rosson, the rules were suspended, the bill read the second time by title, and

On motion of Mr. Trimble, referred to the committee on ways and means.

House bill No. 108, to be entitled "an act to incorporate the St. Francis river navigation company," was taken up and read the first time.

On motion of Mr. Davies, the rules were suspended, the bill read the second time by title; and

On motion of Mr. Craighead, it was referred to the committee on swamp and overflowed lands.

House bill No. 109, to be entitled "an act amendatory of the present law providing for the election of the different state land agents," was taken up and read the first time.

On motion of Mr. President, the rules were suspended, the bill read the second time, by title, and

On his further motion, it was referred to the committee on swamp and overflowed lands.

House bill No. 114, to be entitled "an act to remove the swamp land office from the town of Batesville, to the city of Jacksonport," was taken up and read the first time.

On motion of Mr. Davies, the rules were suspended and the bill read the second time by title.

Mr. Rosson moved its reference to the committee on swamp and overflowed lands; which motion was lost on a division—8 voting in the affirmative and 11 in the negative.

Mr. President moved its reference to the committee on ways and means; which motion was lost.

Mr. Davies moved to suspend the rules for the third reading of the bill; which motion was lost, two-thirds not voting in the affirmative.

Thereupon, on motion of Mr. Oates, the bill was made the special order for 11 o'clock to-morrow morning.

On motion of Mr. Terry, the Senate adjourned until 9½ o'clock to-morrow morning.

THOS. FLETCHER,
President.

FRIDAY, *December 14th*, 1860.

The Senate met pursuant to adjournment.

Roll called.

P R E S E N T :

Messrs. Askew, Belser, Carrigan, Clark, Craighead, Davies, Douglas, Fagan, Gray, McColloch, McCreery, Mecklin, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—21.

The journal of yesterday was read, approved and signed.

Motions and resolutions were in order.

Mr. McColloch offered the following

RESOLUTION:

Resolved, That James Thompson, Esq., be permitted to take a seat within the bar of the Senate, for the purpose of reporting such of its proceedings as he may choose to, in the "Banner of Peace," at Nashville, Tennessee.

Read, and on motion of Mr. McColloch, adopted.

Mr. Davies offered Senate joint resolution No. 12, to-wit:

Be it resolved by the General Assembly of the State of Arkansas, That our senators in Congress be instructed, and our representatives requested, to exert all their influence to secure the passage of a law by Congress, establishing a post road, to be supplied with a semi-weekly mail, to be carried on horseback,

beginning at Jonesboro, in Craighead county, crossing Black river, at Russell's ferry, in Randolph county, by the way of Cherokee bay, to the town of Vallonia, in Randolph county, Arkansas. Also, a post road, beginning at Point Pleasant, in New Madrid county, State of Missouri, by the way of Nettles' ferry, across Black river to the town of Vallonia, in Randolph county, Arkansas, to be supplied with a tri-weekly mail on horse back; also a post road, to be supplied with a tri-weekly mail, carried on horseback; also a post road, to be supplied with a tri-weekly mail, carried on horseback, beginning at Alton, in Oregon county, State of Missouri, by the way of Spring creek, Sulphur springs, and McElrath's mills, to the town of Vallonia, Randolph county, Arkansas. Also, a post road to be supplied with a tri-weekly mail, carried on horse-back, beginning at Pocahontas, in Randolph county, Arkansas, by the way of the town of Vallonia, in Arkansas, and Waddell's mill, in Ripley county, Missouri, to Hartinsburg, in the State of Missouri.

Said resolution was read the first time.

On motion of Mr. Davies, the rules were suspended, the resolution read the second time, and on his further motion adopted.

Mr. Clark, from the committee on education, made the following

REPORT:

Mr. PRESIDENT—

The committee on education, to whom was referred House bill No. 131, entitled "an act to incorporate the Sisters of Mercy, of the Academies of Helena, Little Rock and Fort Smith, have had the same under consideration," and have instructed me to recommend its passage.

CLARK, *Chairman.*

Which report was read and received.

Mr. Clark moved to read the bill the third time, on which motion Mr. Askew called for the yeas and nays, and the call being sustained was made, with the following result:

YEAS—Messrs. Belser, Clark, Craighead, Fagan, Gray, McCulloch, McCreery, Mecklin, Mitchell, Oates, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—16.

NAYS—Messrs. Askew, Carrigan, Davies, Douglas and Pennington—5.

So the bill was read the third time, and Mr. Carrigan called for the yeas and nays on its passage, which call was sustained.

On motion of Mr. Rosson, a call of the Senate was made, when the following senators answered to their names:

Messrs. Askew, Belser, Carrigan, Clark, Craighead, Davies, Douglas, Fagan, Gray, McColloch, McCreery, Mecklin, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—21.

On motion of Mr. Rosson, the call was suspended, and the yeas and nays were ordered on the passage of the bill, with the following result:

YEAS—Messrs. Belser, Clark, Craighead, Davies, Fagan, Gray, McColloch, McCreery, Mecklin, Mitchell, Oates, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—17.

NAYS—Messrs. Askew, Carrigan, and Pennington—3.

(Mr. Douglas asked to be, and was excused from voting, on a division—12 in the affirmative and 5 in the negative.)

So the bill passed.

Message from the House of Representatives by the clerk:

MR. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have concurred in Senate amendment to House joint resolution No. 17, relative to a four horse mail coach line, from Des Arc to Clarksville, Arkansas.

And also, have concurred in Senate amendments to House bill No. 31, entitled an act to pay the county and probate judge of Lafayette county, and to change the time of holding said court.

The House of Representatives have passed the following House bills, to-wit:

No. 3, to be entitled an act to tax all patent medicines imported into this state.

No. 52, to be entitled an act to change the time of holding the circuit court of Monroe county.

No. 90, to be entitled an act to repeal all bankrupt laws in this state.

No. 172, to be entitled an act to incorporate the Helena and Trenton Horse railroad company.

No. 173, to be entitled an act conferring certain powers upon the county court of Crittenden and Mississippi counties.

No. 175, to be entitled an act to prevent the poisoning of any

lake, stream, well, or spring of water, for the purpose of killing fish, stock or for any other purpose.

Said six House bills are herewith transmitted for the assent of your honorable body, which is respectfully asked.

The House of Representatives have adopted House joint resolution No. 21, relative to a mail route from Little Rock to Yellville, in Marion county, Arkansas, via Clinton, in Van Buren county, and Burrowsville in Searcy county.

Said resolution is herewith transmitted for the concurrence of your honorable body, which is respectfully asked.

The House of Representatives have concurred in Senate resolution to go into the election of land attorney and state collector, this day at 11 o'clock, a. m.

S. M. SCOTT, *Clerk of*
House of Representatives.

The following message was received from the governor:

MR. PRESIDENT—

I am instructed by the governor to inform your honorable body, that on the 13th day of December, 1860, he vetoed "an act to provide more fully for the incorporation of the town of Paraclifta."

Having passed both houses of the General Assembly, the bill is presented to me for approval.

The 11th section of said act confers the following, among other powers, upon the common council of said town of Paraclifta, "To prevent threatening; quarreling, challenging and fighting within its limits."

And said council is empowered to pass all ordinances, by-laws and edicts, which may be necessary to the full and effectual exercise of all the powers therein granted, and "to enforce the same by fine and imprisonment."

The constitution of the State of Arkansas, section 14, article 2d, declares "that no man shall be put to answer any criminal charge but by presentment, indictment or impeachment."

Assaults, affrays and fights, says the supreme court in the case of "*Eason vs. The State*," 6th English, 182, are criminal charges, within the meaning of the bill of rights above quoted. The case of "*Rector vs. The State*," 1 English 187, is also authority, directly in point. I entertain no doubt that the views held in both cases are correct, and that this act, upon like ground, is unconstitutional.

Again, section 33 of this act, provides "that all processes issued by the mayor shall run in the name of the town of Paraclifta." The constitution of the state declares in section 14,

article 6, that "all writs and other process shall run in the name of the State of Arkansas." The act is returned to your honorable body for the above reasons.

HENRY M. RECTOR.

December 14th, 1860.

W. M. MATHENY,
Private Secretary.

Mr. Fagan, from the committee on enrollments, made the following

REPORT:

Mr. PRESIDENT—

The committee on enrolled bills have examined an act to incorporate the Pocahontas and Gainesville Male and Female Colleges, and report the same correctly enrolled.

FAGAN, *Chairman.*

Read and received.

Mr. Rosson was called to the chair.

The hour having arrived for which House bill No. 114, to be entitled an act to move the swamp land office from the town of Batesville to the city of Jacksonport, was made the special order, the same was, on motion of Mr. Oates, postponed until 11 o'clock to-morrow morning.

On motion of Mr. Askew, House bill No. 148, to be entitled an act to incorporate the trustees of the Marysville Male and Female Academy, in Columbia county, and to prohibit the sale of spirituous liquors within two miles of the same, was taken up and read the first time.

The following message was received from the House of Representatives by the clerk:

Mr. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives are now ready to receive your honorable body in their hall for the purpose of going into the election of land attorney and state collector.

S. M. SCOTT, *Clerk.*

House of Reps.

On motion of Mr. President, the Senate repaired to the hall of the House of Representatives, and being seated therein, the

roll of the Senate was called by order of the President, when the following senators answered to their names:

Messrs. Askew, Belser, Carrigan, Clark, Craighead, Davies, Douglas, Fagan, Gray, McColloch, McCreery, Mecklin, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—21.

The roll of the House was then called by order of the Speaker, and it having appeared that there was a quorum of both houses present, the President announced the object of the convention, and stated that nominations for land attorney and state collector were in order.

Mr. Terry nominated F. W. Hoadley.

Mr. Garland, of the House, nominated William L. Worsham.

Mr. McColloch nominated J. F. Ritchie.

Mr. Murphy, of the House, nominated John D. Kimbell.

No other nominations being made, the rolls were called, when it appeared that on joint ballot

F. W. Hoadley received 19 votes—5 in the Senate and 14 in the House.

W. L. Worsham 21 votes—3 in the Senate and 18 in the House.

J. F. Ritchie, 29 votes—6 in the Senate and 23 in the House.

J. D. Kimbell, 19 votes—7 in the Senate and 12 in the House.

Those senators voting for F. W. Hoadley, were

Messrs. Belser, Douglas, McCreery, Oates and Terry—5.

Those voting for W. L. Worsham, were

Messrs. Carrigan, Clark and Trimble—3.

Those voting for J. F. Ritchie, were

Messrs. Askew, Gray, McColloch, Pennington, Ward and Mr. President—6.

Those voting for J. D. Kimbell, were

Messrs. Craighead, Davies, Fagan, Mecklin, Mitchell, Rosson and Watkins—7.

Neither of the candidates voted for having received a majority of all the votes cast, the President announced that there was no election, and that the convention would proceed to ballot the second time.

The rolls were then called the second time, when it appeared that on joint ballot,

F. W. Hoadley received 15 votes—5 in the Senate and 10 in the House.

W. L. Worsham, 21 votes—3 in the Senate and 18 in the House.

J. F. Ritchie 32 votes—5 in the Senate and 27 in the House.

J. D. Kimbell 20 votes—8 in the Senate and 12 in the House.

Those senators voting for F. W. Hoadley, were

Messrs. Belser, Douglas, McCreery; Oates and Terry—5.

Those voting for W. L. Worsham, were

Messrs. Carrigan, Clark and Trimble—3.

Those voting for J. F. Ritchie, were

Messrs. Askew, Gray, McColloch, Ward and Mr. President—5.

Those voting for J. D. Kimbell, were

Messrs. Craighead, Davies, Fagan, Mecklin, Mitchell, Pennington, Rosson and Watkins—8.

Neither of the candidates voted for having received a majority of all the votes cast, there was no election, and the President announced that the convention would proceed to ballot the third time.

The rolls were then called, when it appeared that on joint ballot, F. W. Hoadley received 15 votes—4 in the Senate and 11 in the House.

W. L. Worsham 21 votes—3 in the Senate and 18 in the House.

J. F. Ritchie 29 votes—3 in the Senate and 26 in the House.

J. D. Kimbell 25 votes—11 in the Senate and 14 in the House.

Those senators voting for F. W. Hoadley, were

Messrs. Belser, Douglas, McCreery and Terry—4.

Those voting for W. L. Worsham, were

Messrs. Carrigan, Clark and Trimble—3.

Those voting for J. F. Ritchie, were

Messrs. Askew, Gray and McColloch—3.

Those voting for J. D. Kimble, were

Messrs. Craighead, Davies, Fagan, Mecklin, Mitchell, Oates, Pennington, Rosson, Ward, Watkins and Mr. President—11.

Neither of the candidates voted for having received a majority of all the votes cast, there was no election, and the President announced that the convention would ballot the fourth time.

The rolls were then called, when it appeared that on joint ballot, F. W. Hoadley received 10 votes—4 in the Senate and 6 in the House.

W. L. Worsham 20 votes—3 in the Senate and 17 in the House.

J. F. Ritchie 33 votes—2 in the Senate and 31 in the House.

J. D. Kimbell 24 votes—10 in the Senate and 14 in the House.

Those senators voting for F. W. Hoadley, were

Messrs. Belser, Douglas, McCreery and Terry—4.

Those voting for W. L. Worsham, were

Messrs. Carrigan, Clark and Trimble—3.

Messrs. Gray and McColloch voted for J. F. Ritchie—2.

Those voting for J. D. Kimbell, were

Messrs. Davies, Fagan, Mecklin, Miller, Mitchell, Oates, Pennington, Ward, Watkins and Mr. President—10.

Neither of the candidates voted for having received a majority of all the votes cast, there was no election, and the President announced that the convention would ballot the fifth time.

Mr. Terry withdrew the name of F. W. Hoadley.

The rolls were then called, when it appeared that on joint ballot, W. L. Worsham received 24 votes—6 in the Senate and 18 in the House.

J. F. Ritchie 36 votes—2 in the Senate and 34 in the House.

J. D. Kimbell 26 votes—11 in the Senate and 15 in the House.

Those senators voting for W. L. Worsham, were

Messrs. Belser, Carrigan, Clark, Douglas, McCreery and Trimble—6.

Messrs. Gray and McColloch voted for J. F. Ritchie—2.

Those senators voting for J. D. Kimbell, were

Messrs. Davies, Fagan, Mecklin, Mitchell, Oates, Pennington, Rosson, Terry, Ward, Watkins and Mr. President—11.

Neither of the candidates voted for having received a majority of all the votes cast, there was no election, and the President announced that the convention would ballot the sixth time.

The rolls were then called, when W. L. Worsham received 16 votes—4 in the Senate and 12 in the House.

J. F. Ritchie 41 votes—3 in the Senate and 38 in the House.

J. D. Kimbell 30 votes—12 in the Senate and 18 in the House.

Those senators voting for W. L. Worsham, were
Messrs. Carrigan, Clark, McCreery and Trimble—4.

Those voting for J. F. Ritchie, were
Messrs. Douglas, Gray and McColloch—3.

Those voting for J. D. Kimbell, were

Messrs. Belser, Davies, Fagan, Mecklin, Mitchell, Oates, Pennington, Rosson, Terry, Ward, Watkins and Mr. President—12.

Neither of the candidates voted for having received a majority of all the votes cast, there was no election, and the President announced that the convention would ballot the seventh time.

The rolls were then called, when W. L. Worsham received 7 votes—3 in the Senate and 4 in the House.

J. F. Ritchie 50 votes—4 in the Senate and 46 in the House.

J. D. Kimbell 30 votes—12 in the Senate and 18 in the House.

Those senators voting for W. L. Worsham, were
Messrs. Carrigan, Clark and McCreery—3.

Those voting for J. F. Ritchie, were
Messrs. Douglas, Gray, McColloch and Trimble—4

Those voting for J. D. Kimbell, were

Messrs. Belser, Davies, Fagan, Mecklin, Mitchell, Oates, Pennington, Rosson, Terry, Ward, Watkins and Mr. President—12.

Whereupon the President announced that J. F. Ritchie having received a majority of all the votes cast, was duly and legally elected land attorney and state collector, for and during the term prescribed by law.

The object of the convention having been accomplished, the Senate returned to their chamber, and on motion of Mr. Terry, adjourned until 9½ o'clock to-morrow morning.

THOS. FLETCHER,

President.

SATURDAY, *December 15, 1860.*

Senate met pursuant to adjournment.

Roll called.

Journal of yesterday, except ballotings, the reading of which, was, on motion of Mr. Watkins, dispensed with, was read, approved and signed.

Petitions and memorials were in order.

Mr. McAlexander presented the petition of a large number of citizens of township 17 north, range 3 east, in Lawrence county, representing that S. E. Friar resides upon the south-west quarter of south-west quarter of section 16, in said township, which said quarter section belongs to the common school fund of Arkansas, that if said land is offered at public sale, as usual, under the law, said Friar will be greatly injured, by having either to lose his improvements on said 40 acres of land, or buy the same, when he has already paid for it; therefore the petitioners pray the passage of an act authorizing the common school commissioner of Lawrence county to sell and convey unto said S. E. Friar the above described quarter quarter section, at the minimum price for said land.

Said petition was read, and on motion of Mr. McAlexander, referred to the committee on education.

Mr. President laid before the Senate the following resolutions, adopted by a secession meeting in Desha county:

Resolved, That, while from patriotic considerations, we are inclined to treat, with respectful consideration, the expressed will of the constitutional majority of the people of the United States, in the choice of a chief executive officer, still, a proper regard for sincerity and truth forbids that we should disguise the fact, that the election of Mr. Lincoln, under the existing circumstances, by a purely sectional vote, looking to sectional aggrandizement, sectional domination, blind to the spirit, if not to the letter of the constitution, has produced a profound sensation in all the slaveholding states; because the principles upon which Mr. Lincoln was elected, are at war with the constitutional rights of the South.

2. *Resolved*, That the fifteen slaveholding states are united, not only by common language, common origin, common history, but by common institutions, productions and interests;

therefore it is not only their safety and protection, but their duty and their interest, that they should act in concert and harmony, in the present emergency; wherefore, we regard any individual, inconsiderate, impulsive action on the part of any or either of said states, tending, whether so designed or not, to coerce their sister states into their support, without previous consultation or advice, as injudicious.

3. *Resolved*, That in view of the fact that several of our sister slaveholding states, have felt it to be their duty, under existing circumstances, to take counsel of their people, by holding state conventions, in order the better to protect our rights in the Union, shield and protect the constitution under which we live from assault or aggression from the North or from the South, we therefore respectfully submit to the governor and legislature to call a convention of the people of the state of Arkansas, at as early a day as practicable, to take into consideration the threatening political condition of the country, and to prepare the state to act in concert with our sister states, in devising and carrying out such remedial measures as may be deemed necessary and appropriate to maintain the integrity of the Union; but more especially the rights, all and singular, of our own state in or out of the Union.

4. *Resolved*, That this convention, when assembled, in addition to the business and duties before alluded to, shall advise and request all the slaveholding states to meet in convention, at the city of Atlanta, in the State of Georgia, by such a number of delegates as each state, respectively, may deem proper, to devise the most appropriate and efficient means to arrest the spirit of nullification, insubordination, and disloyalty to the constitution of the United States, evidenced by several of the northern and western states, in their efforts to embarrass the execution of the fugitive slave law, by a system of legislation, not only anti patriotic, anti-social and unjust towards the southern states, but unconstitutional and insulting to the majesty and sovereignty of the federal government.

5. *Resolved*, That in this emergency, we intend to forget all past differences of opinion, growing out of our former party political organization, and unite as one man, in the support and vindication of our interests and institutions, as God and our fathers gave them to us, through evil and through good report, come weal or come woe.

6. *Resolved*, That while sympathizing with South Carolina in feeling, we respectfully request that she will not precipitate us into revolution or secession, without a calm consultation with her sister southern states.

7. *Resolved*, That we respectfully submit to the legislature, the propriety of appropriating a portion of the surplus revenue now in the treasury, to the purchase of arms, and to the

putting of the state into a proper attitude of defence, believing that the best way of avoiding trouble or danger, is to be prepared for them.

Said resolutions were read, and Mr. President also presented the following, adopted by a meeting of the citizens of Jefferson county:

1st. *Resolved*, By this convention, that all experience demonstrates that the framework of government, when once firmly established and hallowed by long years of trial and glorious memories, should not be broken up for light and transient causes; nor should the political bands which bind one people to another, having a common origin, and apparently a common destiny, be rudely torn asunder until all the legal and peaceable means of redress have been first exhausted; but that when such legal and peaceable means have been exhausted without avail, we then believe it to be the *duty* of the injured to meet together and take such measures as will secure the recognition of, and respect to their rights.

2d. *Resolved*, That we do not regard the election of Mr. Lincoln or any other man by the constituted authorities of the country, and in accordance with the provision of the constitution of the United States, a sufficient cause of secession.

3d. *Resolved*, That in as much as the non-slaveholding states of this Union, have, by the passage of personal liberty bills, and other laws, infringing upon the constitutional rights of the South, and more recently by the election of Abraham Lincoln President of the United States by unprecedented majorities, has distinctly tendered to the South, the issue of the "irrepressible conflict"—that we of the South can do nothing less than accept the issue tendered; and say to the northern states, that unless they recede from their present aggressive position, and repeal their unconstitutional laws upon the subject of slavery, we of the South will dissolve our connection with them as political brethren.

4th. *Resolved*, That under the present state of excitement and dissatisfaction existing at the South, resulting from the recent triumph of the principles of the irrepressible conflict, we recommend our legislature to make provision for calling a convention of the people of Arkansas acting in their sovereign capacity to take such measures for the public safety and the protection of southern rights as the exigency of the times may demand, either by concerted action with the other states of the Union, or in their individual capacity, as they in their wisdom may determine, and we are of opinion that the whole South should act together, as their interests are identical and demand their full constitutional rights and equality in the Union or the last right of freemen, independence out of it.

5th. *Resolved*, That we appreciate the efforts and motives of our northern friends who, in the late Presidential election, voted in favor of the constitutional rights of the South.

6th, *Resolved*, That our government is based upon the idea that the people are capable of self-government, and that the people should enjoy the greatest possible liberty, consistent with the public good; and when the sovereign states of the Union framed the present constitution it was never contemplated that a minority of states should be subjected to the will of a majority by force, regardless of constitutional rights. Hence we deem it inconsistent with our rights as states of this Union, that a southern state should be compelled by force of arms to submit to the rule of a black republican or any other administration, under the present state of our political affairs, and we will not quietly permit any administration, by force of arms, to coerce any one southern state into submission to their rule.

Said resolutions of Desha and Jefferson counties, were referred to the committee on federal relations.

On motion of Mr. Terry, the amendments of the House to Senate bill No. 10, entitled an act to incorporate the Des Arc, Dardanelle and Fort Smith railroad company, were taken up.

The first amendment in these words, to-wit:

“Strike out of the caption the words and Fort Smith,” was read, and on motion of Mr. Terry, concurred in.

The second amendment in these words, to-wit:

“In section 11, strike out the name of Ben. T. Duval, and insert Sol. F. Clark,” was read, and on motion of Mr. Terry, also concurred in.

The third amendment, to “strike out section 24,” was read and on motion of Mr. Terry, also concurred in.

Mr. Watkins offered Senate joint resolution No. 13, as follows:

WHEREAS, The court house, together with the clerk's office and all the record books and maps of Carroll county, Arkansas, were, on the night of the 24th of July, A. D. 1860, consumed by fire, and that by the hand of an incendiary. Therefore,

Be it resolved by the General Assembly of the State of Arkansas, That the secretary of state of the State of Arkansas, be, and he is hereby required as soon as practicable to furnish the clerk's office of Carroll county with full and complete numbers of well bound decisions of the Supreme Court, and Langtree's sectional map of Arkansas.

Said resolution was read the first time.

On motion of Mr. Watkins, the rules were suspended, and the resolution read the second time.

Mr. Davies moved to amend by inserting that Greene county be furnished with a copy of Langtree's new sectional map for the clerk's office.

Mr. Craighead moved to amend by inserting that Mississippi county be also furnished with the reports of the decisions of the supreme court.

After some discussion the resolution was, on motion of Mr. Rosson, referred to the committee on ways and means.

Reports from standing committees were in order.

Mr. Fagan, from the committee on enrollments, made the following

REPORT:

MR. PRESIDENT—

I have the honor to report that on this 15th day of December, 1860, I handed to the governor for his consideration, an act to incorporate the Pocahontas and Gainesville Male and Female Colleges.

FAGAN, *Chairman.*

Read and received.

Mr. Oates, from the committee on judiciary, made the following

REPORT:

MR. PRESIDENT—

The judiciary committee, to which was referred House bill No. 68, entitled "an act to change the administration law," have considered the same, and I am instructed to report the same back to the Senate and recommend its rejection.

OATES, *Chairman.*

Which report was received, and on motion of Mr. Rosson, adopted, and the bill thereby rejected.

Mr. Oates, further from said committee, made the following

REPORT:

MR. PRESIDENT—

The judiciary committee, to which was referred House bill No. 79, to be entitled “an act to amend section 1 of chapter 112, of Gould’s Digest, under the head of Mechanics,” have had the same under consideration and have instructed me to report the same back to the Senate and recommend its rejection.

OATES, *Chairman.*

Which report was read; and

On motion of Mr. Terry, adopted, and the bill thereby rejected.

Mr. Oates, from the judiciary committee, made the following

REPORT:

MR. PRESIDENT—

The judiciary committee, to which was referred Senate bill No. 81, to be entitled an act to enable married women to dispose of their separate estates, have had the same under consideration, and I am instructed to report the same back to the Senate with the following amendment, and as amended, to recommend its passage.

Amendment:

SEC. 3. *Be it further enacted*, That all married women owning a separate estate, shall be liable to be sued in all the courts of law in this state, as though they were *feme soles*, and their property shall be liable on execution in the same manner.

OATES, *Chairman.*

Said report was received; and

On motion of Mr. Oates, the amendment was adopted.

The bill was then read the third time, as amended, and after some discussion thereon, the same was,

On motion of Mr. Terry, recommitted to the committee on the judiciary.

Mr. Oates, from the same committee, made the following

REPORT:

MR. PRESIDENT—

The judiciary committee, to which was referred Senate

bill No. 2, to be entitled an act to define the punishment of certain crimes, have considered the same, and I am instructed to report a substitute for said bill, which substitute is herewith submitted, and its passage by the Senate recommended.

OATES, *Chairman*.

Which report was received; and

The substitute, to be entitled an act to define the punishment of crimes in certain cases, was read the first time; and

On motion of Mr. Oates, it was adopted in lieu of the original bill.

On his further motion, the rules were suspended, the bill read the second time and amended by inserting the words, "with a deadly weapon," after the word "arming," in the first section.

On motion of Mr. Davies, the bill was read the third time and passed as amended.

Mr. Oates, again from said committee, made the following

REPORT:

MR. PRESIDENT—

The judiciary committee to which was referred "Senate bill No. 72, to be entitled an act for the relief of certain free negroes," have had the same under consideration, and I am instructed to report the same back to the Senate and recommend its rejection.

OATES, *Chairman*.

Which report was read and received, and

On motion of Mr. Rosson, adopted, and the bill thereby rejected.

Mr. Oates, again from the committee on judiciary, made the following

REPORT:

MR. PRESIDENT—

The judiciary committee to which was referred "Senate bill No. 70, to be entitled an act to permit free negroes and mulattoes still in the state to remain until 1st January, 1863," have had the same under consideration, and have instructed me to report the same back to the Senate with the following amendment, and as amended, to recommend its passage.

AMENDMENT:

Amend by adding after the word "state" in the fourth line of the first section, the words, "who are held in duress, or by operation of law."

OATES, *Chairman*.

Which report was received, and on motion of Mr. Oates, the amendment was adopted.

On motion of Mr. Askew, the bill was read the third time and passed as amended.

Mr. Clark, from the committee on education, made the following

REPORT:

MR. PRESIDENT—

The committee on education, to whom was referred House bill No. 120, to be entitled an act to repeal an act preventing the sale of school lands in certain cases, so far as Marion county is concerned, have had the same under consideration, and have instructed me to recommend its rejection.

CLARK, *Chairman*.

Which report was adopted and the bill thereby rejected.

Mr. McColloch, from the committee on the judiciary, made the following

REPORT:

MR. PRESIDENT—

The judiciary committee to whom was referred House bill No. 66, to be entitled, an act concerning guardians and wards, have had the same under consideration, and have instructed me to report the same back and recommend its rejection.

OATES, *Chairman*.

By McColloch.

Which report was read, and on motion of Mr. McColloch, adopted, and the bill thereby rejected.

Message from the House of Representatives by the clerk:

MR. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have rejected Senate bill No. 26, to be entitled "an act for the relief of Henry Jacobi."

Said bill is herewith returned.

S. M. SCOTT, *Clerk of
House of Representatives.*

Mr. McColloch, from the committee on judiciary, made the following

REPORT:

MR. PRESIDENT—

The judiciary committee to whom was referred Senate bill No. 31, to be entitled an act to repeal section nineteen (19,) of chapter 99 of the Digest of 1858, have had the same under consideration, and with the proposed amendment thereto, herewith recommend its passage.

OATES, *Chairman.*
By McColloch.

Amend by adding the following section:

Sec. 4. That in staying judgments before justices of the peace, it shall not be necessary to enter into recognizance, but the stayer shall be required to sign his name as such on the justices' docket under the judgment, and the same attested and approved by the justice shall in all respects be as binding and have like effect as if such stayer had entered into bond as heretofore required by law.

On motion of Mr. McColloch, said amendment was adopted, and the bill was then read the third time as amended, and passed.

Message from the House of Representatives by the clerk:

MR. PRESIDENT—

I am instructed to inform your honorable body that the House have passed House bill No. 177, to be entitled an act for the relief of Van Buren county.

Said bill is herewith transmitted for the assent of your honorable body, which is respectfully asked.

S. M. SCOTT, *Clerk of
House of Representatives.*

Mr. Oates, from the committee on judiciary, made the following

REPORT:

MR. PRESIDENT—

The judiciary committee to which was referred "House bill No. 157, to be entitled an act to protect Pleasant Hill

church in Scott county, from disturbance by the sale of intoxicating liquors," have had the same under consideration and have instructed me to report the same back to the Senate with the following amendment, and as amended, to recommend its passage.

Amend by striking out in the fourth line of the first section, the words, "or use as a beverage," and inserting before the word barter in the same line, the word "or."

OATES, *Chairman*.

Which report was read, and on motion of Mr. Oates, the amendment was adopted.

The bill was then read the third time and passed as amended.

The hour for which House bill No. 114, to be entitled an act to remove the swamp land office from the town of Batesville to the city of Jacksonport, was made the special order having arrived, the same was taken up and read for information.

On motion of Mr. Davies, said bill was read the third time, and Mr. Oates called for the yeas and nays on its passage, which call was sustained and made with the following result:

YEAS—Messrs. Askew, Carrigan, Craighead, Davies, Douglas, Fagan, Gray, McCreery, Mecklin, Oates, Terry, and Watkins—12.

NAYS—Messrs. Belser, Clark, McAlexander, Rosson, Trimble, Ward and Mr. President—7.

So the bill passed.

Pursuant to previous order, Senate bill No. 62, to be entitled "an act for the relief of certain counties in this state," was taken up, and being on the second reading, was subject to amendment.

On motion of Mr. Ward, the county of Johnson was excepted from the provisions of the bill.

On motion of Mr. Fagan, the counties of Saline, Hot Spring and Montgomery were excepted from the provisions of the bill.

The bill was then read the third time and passed.

Mr. Oates, from the committee on judiciary, made the following

REPORT:

MR. PRESIDENT—

The judiciary committee, to which was referred House

bill No. 79, to be entitled an act to amend chapter 100 of the Digest, under the head of landlord and tenant, have considered the same, and inasmuch as the judiciary committee have already reported a bill having for its objects the enactment of a nearly similar law, which bill has already passed the Senate, your committee would respectfully ask leave to report said bill back to the Senate, and ask to be discharged from its further consideration.

OATES, *Chairman*.

Said bill was ordered to take its course and remain upon the calendar for the present.

Mr. Oates, again from said committee, made the following

REPORT:

Mr. PRESIDENT—

The judiciary committee to which was referred Senate resolution requiring said committee to enquire into the propriety of changing the present tax law so as to give persons in the state the same privileges with those out of it, have had the same under consideration, and have instructed me to report the accompanying bill and to recommend its passage.

OATES, *Chairman*.

A BILL,

To be entitled 'an act for the relief of the residents of this state.'

SECTION 1. *Be it enacted by the General Assembly of the State of Arkansas*, That from and after the passage of this act, all of the citizens of this state who may have any of their lands—no matter in which county the same may be situated, sold for the taxes, due thereon, or for any other taxes which may be due from said citizen or citizens to the state or county, such citizen or citizens, so having lands sold, shall have and be entitled to the same rights and privileges to redeem the same, as any non-resident now has to redeem his, her or their lands after the same has been sold for taxes.

SEC. 2. *Be it further enacted*, That all laws or parts of laws in conflict with the provisions of this act be, and the same are, hereby repealed.

Read the first time.

On motion of Mr. Oates, the rules were twice suspended, the bill read the second and third times by title, and passed.

Mr. Oates, further, from the committee on judiciary, made the following

REPORT:

Mr. PRESIDENT—

The judiciary committee, to which was referred House bill No. 130, to be entitled "an act for the relief of Thomas H. Harwood, of Chicot county," have considered the same, and a majority of said committee have instructed me to report the same back to the Senate, and recommend its rejection.

OATES, *Chairman*
Judiciary Committee.

Said report was read; and

On motion of Mr. Rosson, adopted, and the bill thereby rejected.

Mr. Oates, further from the committee on the judiciary, made the following

REPORT:

Mr. PRESIDENT—

The judiciary committee, to which was referred House bill No. 23, to be entitled "an act for the relief of Calvin M. Hervey, of Hempstead county," have had the same under consideration, and have instructed me to report the same back to the Senate and recommend its passage.

OATES, *Chairman.*

Which report was received; and,

On motion of Mr. Oates, the bill was read the third time and passed.

Mr. Rosson, from the committee on swamp and overflowed lands, made the following

REPORT:

Mr. PRESIDENT—

The committee upon swamp and overflowed lands, to whom was referred House bill No. 109, to be entitled "an act amendatory of the present law providing for the election of the different state land agents," have considered the same, and a majority of said committee have instructed me to report the same back and recommend its rejection.

ROSSON, *Chairman.*

Which report was received; and,

On motion of Mr. Rossön, adopted, and the bill thereby rejected.

Mr. Oates, from the committee on judiciary, made the following

REPORT:

MR. PRESIDENT—

The judiciary committee, to whom was referred House bill No. 28, to to be entitled “an act amendatory of an act entitled ‘an act to remove free negroes and mulattoes from this state,’” approved February 12th, 1859, have had the same under consideration, and have instructed me to report said bill back to the Senate, and recommend its rejection.

OATES, *Chairman.*

Which report was received; and,

On motion of Mr. Rosson, adopted, and the bill thereby rejected.

Mr. Oates, further, from said committee, made the following

REPORT:

MR. PRESIDENT—

The judiciary committee, to which was referred Senate bill No. 55, to be entitled “an act to establish separate courts of chancery, and for other purposes,” have had the same under consideration, and, whilst your committee are disposed to favor the objects sought to be attained by the bill, they deem it inexpedient to urge its passage now, by reason of its cost, at a juncture when our available means may be otherwise required, and because the political affairs of the country are too unsettled now to warrant any radical changes being made in our judiciary system. Your committee recommend the rejection of the bill.

OATES, *Chairman.*

judiciary committee.

Said report was read; and

On motion of Mr. Oates, adopted, and the bill thereby rejected.

Mr. Clark, from a select committee, made the following

REPORT:

MR. PRESIDENT—

The select committee, to whom was referred a reso-

lution to re-arrange the judicial circuits in this state, have had the same under consideration, and have instructed me to report the accompanying bill, and recommend its passage.

CLARK, *Chairman.*

No. 85. A bill, to be entitlee "an act to establish nine judicial circuits in this state."

SECTION 1. *Be it enacted by the General Assembly of the State of Arkansas,* That this state shall be divided into nine judicial circuits, to-wit:

The first judicial circuit shall be composed of the counties of Poinsett, St. Francis, Mississippi, Crittenden, Phillips and Monroe.

The second judicial circuit shall be composed of the counties of Bradley, Ashley, Drew, Chicot, Desha, Arkansas and Jefferson.

The third judicial circuit shall be composed of the counties of Craighead, Greene, Randolph, Lawrence and Jackson.

The fourth judicial circuit shall be composed of the counties of Perry, Yell, Pope, Johnson, Franklin and Crawford.

The fifth judicial circuit shall be composed of the counties of Dallas, Hot Spring, Saline, Conway, Prairie and Pulaski.

The sixth judicial circuit shall be composed of the counties of Calhoun, Union, Columbia, Lafayette, Hempstead and Ouachita.

The seventh judicial circuit shall be composed of the counties of Fulton, Izard, Searcy, Van Buren, White and Independence.

The eighth judicial circuit shall be composed of the counties of Marion, Newton, Carroll, Madison, Benton and Washington.

The ninth judicial circuit shall be composed of the counties of Sevier, Clark, Montgomery, Pike, Polk, Scott and Sebastian.

SEC. 2d. *Be it further enacted,* That the judges and prosecuting attorneys who have been heretofore elected and qualified, shall continue to act as such, in the circuits hereby established, in which they respectively reside.

SEC. 3d. *Be it further enacted,* That the qualified voters of the counties which compose the seventh, eighth and ninth judicial circuits, shall elect a judge for the said seventh, eighth and ninth circuits, respectively, on the first Monday in June, A. D. 1861, and the election, herein provided for, shall be ordered and, in all respects, held and conducted in the manner now prescribed by law for holding general elections in this state; and the judges so elected shall hold their respective offices until their successors are elected and qualified; and the next election for judges in said circuits shall not be held until the first Monday in August, A. D. 1866.

SEC. 4th. *Be it further enacted*, That the qualified voters of the counties which compose the third, fourth and ninth judicial circuits shall elect a prosecuting attorney for the said third, fourth and ninth circuits, respectively, on the first Monday in June, A. D. 1861,—and the election herein provided for, shall be ordered and, in all respects, held and conducted in the manner now prescribed by law for holding general elections in this state—and the prosecuting attorneys, so elected, shall hold their respective offices until their successors are elected and qualified—and the next election for prosecuting attorneys in said circuits, shall not be held until the first Monday in August, A. D. 1861.

SEC. 5th. *Be it further enacted*, That all laws in conflict with this act are hereby repealed, and that this act shall take effect and be in force from and after tenth day of May, A. D. 1861.

Said bill was read the first time.

On motion of Mr. Clark, the rules were suspended, the bill read the second time, by title, and took its place on the calendar.

Mr. Oates, from the joint select committee on public printing, submitted the following

REPORTS:

REPORTS OF SPECIAL JOINT COMMITTEE ON PUBLIC PRINTING.

MAJORITY REPORT.

MR. PRESIDENT—

The joint committee whose duty it was made by a joint resolution of the General Assembly, to enquire and ascertain whether the prices now paid the public printer under existing laws are more than ought to be paid by the state, have taken upon themselves much trouble to investigate the matters referred to them.

The chairman of the committee of the House, in conjunction with the chairman of the Senate committee—addressed letters to the different editors and publishers in the city of Little Rock, enquiring of them whether the prices now paid the public printer are too high or too low, and if too high or low, requesting them to state in what particular. In answer to this letter of enquiry we have received letters from Mr. J. H. Black, Messrs. Johnson & Yerkes, Messrs. Danley & Holtzman, Mr. T. C. Peek and Mr. S. M. Scott, which answers we submit as a part of this report.

By reference to the letter of Messrs. Johnson & Yerkes, which goes somewhat into the history of the prices paid during

the last ten years, it will be seen that they estimate the prices now paid to be on the whole "reasonable to the state." The letter of Messrs. Danley & Holtzman, states some items too high and others too low. On an estimate made by members of the committee it was found that by adopting the alterations suggested by Messrs. Danley & Holtzman the aggregate cost of the public printing would be neither materially increased or diminished—consequently, according to their testimony the prices as now fixed must be reasonable and just to both the state and the printer. Mr. T. C. Peek replies that the public printing could be done at prices fifteen per cent. below what they now are. Mr. S. M. Scott, the present clerk of the House of Representatives, also gives his statement as one of the oldest practical printers in the state, and who having no press or type, and therefore in no wise interested in the question, his statement is entitled to the highest credit. He goes into detail as will be seen by reference to his letter, and gives us facts and figures from which to draw our conclusions.

He states that in 1853-4, the public printing was executed at prices 15 per cent. lower than the present prices, and the result was a bill of relief at the next session of the legislature for losses to the amount of \$300; Messrs. Jonnson & Yerkes testify to this point also. Mr. Scott further states that the only reason a printer can afford to take work at these prices is the agency of steam presses; to do this work on a hand press would break any printer in the state.

The object of the committee has been to ascertain a price at which the public printing might be done that would be fair and just, both to the state and the public printer; while it has been the desire of the committee to guard the state from imposition, it has also been an object with them to establish a price for the public printing that would not only enable the public printer to do the work well but would afford him a fair and equitable compensation for his labor and capital invested. The committee feel assured that the state would be as scrupulous in paying a just price for work done by its citizens as it would be in guarding its treasury from imposition.

In regard to the manner of making a public printer, the sentiment of your committee is that it would be best to fix, by law, the prices the state is willing to pay, and then elect a competent printer to do the work at the prices so fixed. The policy of letting the printing to the lowest bidder has been repeatedly tested both by the Congress of the United States and by this state, and has been long since abandoned by both. It has always worked badly. In their anxiety to obtain the work, bidders frequently offer to execute it at prices wholly inadequate, and the consequence always is, work wretchedly performed on wretchedly mean paper in order to prevent heavy

losses, and then a bill for relief to perplex and consume the time of the succeeding General Assembly. This has been the history of the policy of letting the public printing to the lowest bidder in this state, while on the contrary whenever the prices have been fixed by law and a public printer elected, the work has been expeditiously and well done, satisfactorily to all parties.

After having examined the subject as thoroughly as it was possible to do it, the committee are of opinion that the law now existing in regard to the prices and the election of a public printer, is the best that could be enacted, and ought not to be changed.

O. H. OATES, *Ch'n.*
of Senate Committee.

D. L. KILLGORE, *Ch'n*
of House Committee.

(COPY.)

TRUE DEMOCRAT OFFICE, }
December 11th, 1860. }

Messrs. OATES and KILLGORE—*Gentlemen*: Your note of inquiry addressed to me in regard to *public printing* has been received; and in reply, I beg leave to say that I know too little of the mechanical department of the press to hazard an opinion. All that I will or can say in regard to the matter is, that all printers with whom I have consulted, think the present rates reasonable and just to all parties.

Very respectfully yours,
J. H. BLACK.

[COPY.]

LITTLE ROCK, Dec. 9, 1860.

Hon. O. H. OATES,

Chairman of Joint Printing Committee:

SIR—In response to your note of yesterday in regard to the

prices of the public printing, whether they are too high or too low, we have to state:

The prices now paid the public printer are the same almost as those paid the lowest bidder for public printing in the year 1850, as will be seen by reference to the report of the committee on public printing, to be found on pages 86 and 87 of the Senate Journal of 1850-51. By reference to this report it will be seen that, with the exception of a few items that vary only a few cents in order to make the figures round numbers, the prices of the public printing, as now established by law, are the same as those at which the public printing was awarded to the lowest bidder. Indeed, the present prices were copied almost literally from the report of the committee on public printing of the session of 1856-57.

In 1852-3, the public printing was awarded at prices still lower, but the public printer lost money on the work and was granted relief at the following session in the amount of several hundred dollars. Since that time the public printing has been executed at the present prices.

Although the price of every thing—journeymen's wages, house rent, fire wood, the hire of boys, the cost of type and printing paper—have all advanced materially since 1850, still the prices paid by the state for its public printing have not been raised, but are the same as those paid in 1850, *to the lowest bidder*.

Considering all things, the prices now paid by the state for its public printing, in our opinion, are exceedingly reasonable to the state.

Very respectfully, etc.,

Your ob't serv't,

JOHNSON & YERKES.

[COPY.]

GAZETTE OFFICE, Little Rock, Arks., }
December 10th, 1860. }

Messrs. OATES and KILLGORE:

Gentlemen—Your note addressed to the editor of this paper was placed in our hands on Saturday, and in reply we would state that we have examined the statute referred to by you. The first item, in relation to the printing of the acts and journals, states, that the public printer shall receive therefor pay, in the sum of \$1 65 per page for the first 500 copies. Now if it was certain that this 500 was all that was to be printed on each form, or if it was not equally certain that there were sev-

eral successive 500's to be printed, this amount of \$1 65 would not be large, indeed it would be but a moderate compensation, but, as it is generally well known that 500 is not the maximum, but the least number to be paid for, it might well be reduced to \$1 50 per page. The sixty cents per page for each successive 500 or less is not an inordinate price, but will yield *only* a fair and just profit.

The whole of section 2 in relation to the printing of the bills for the General Assembly is a record that has nothing whatever of liberality in it. Indeed, if a proprietor was supposed to employ his compositors at about the prices allowed them in localities where living was about 100 per cent. less than it is here the price could not be considered high, but when we know the position of Little Rock, the high prices paid printers, the meagre facilities for obtaining material of any kind, we think an addition of 50 per cent. to the amount paid for the bills would be nothing more than a just compensation to the printing office undertaking to do the work.

Hoping that this may be satisfactory we remain gentlemen,
Most respectfully yours,

DANLEY & HOLTZMAN.

[COPY.]

OLD LINE DEMOCRAT OFFICE, }
Little Rock, *Dec. 8th*, 1860. }

To Messrs. O. H. OATES,

Chairman Senate Committee, and

D. L. KILLGORE,

Chairman House Committee on Printing:

Gentlemen—Upon consultation with my partner, Mr. Butler, who is a practical printer, and who has had some experience in state printing, I would say, in answer to your note of yesterday, that the prices and compensation now allowed by law, for printing, folding and stitching and binding the books, pamphlets and other public documents of the state, are too large; and could be reduced on an average of FIFTEEN *per cent.* from the prices now paid, and still afford reasonable living profits to the contractors. It may be that this reduction of fifteen *per cent.* would be too large on some jobs, and too small on others; but I make this general average reduction, in view of the fact, that if it be the design of your committees to recommend the giving of

all the public printing of the state to the lowest bidder or bidders, that it is proper to make the bids so as to comprehend a uniform *pro rata* reduction on all the different kinds of work, for which different prices are now allowed, in order to avoid a severance of the entire work by disproportionate bids on each several item constituting the whole; and in order, moreover, to show to your committees, without undergoing the trouble of an intricate calculation, how much might be saved by a reduction thus proposed.

I will add, that I am willing to enter into a contract, with good and sufficient security, to do, in a prompt, neat, substantial and workmanlike manner, all the public printing of the state, at the rates of *fifteen* per cent. less than the prices now allowed by law.

Respectfully yours, etc.,

T. C. PEEK.

HALL OF THE HOUSE OF REPRESENTATIVES,
December 13th, 1860.

MESSRS. OATES AND KILLGORE:

Gentlemen—In response to your note of yesterday, I have to say: that I have examined the prices allowed by law to the public printer, and am perfectly satisfied that the prices now fixed by law are not any too high—indeed not high enough on some work, considering the high rates of charges by paper-makers, ink and type makers, and journeymen printers.

Take, for example, a form of 4 pages, 5,000 copies—the price paid the printer is \$28 00.

Cost of printing—type setting	\$ 2 40
“ paper, 53 quires, 23 cents per quire.....	12 19
“ 20 tokens press-work at 50 cents per token....	10 00
	\$24 59

Profit \$3 41, out of which must be taken wear and tear of materials, house rent, fuel, drying, pressing, etc. On large jobs, such as the acts and journals, the profit is something greater in proportion, because one type setting answers for all; the only reason a printer can afford to take work at these prices is the agency of steam presses. To do this work on a hand press would break any printer in the state. The public printer in 1852–3, took the work at 15 per cent. less than these prices

for the acts and journals, (I did the work myself,) and then came before the legislature for a heavy bill of losses, by way of relief, and received \$300. His name was Pegues.

On bills, I think the prices entirely too low; on rule and figure work, the price pays, as the cost is only double on type setting—the quantity of paper being the same. This item, only, in my opinion, will justify the present prices, considering the high prices the printer has to pay employees. I make this statement from my knowledge of printing; being, perhaps, with two exceptions, the oldest practical printer in the state having served more than a quarter of a century in that profession.

I am, very respectfully,

your obedient serv't,

S. M. SCOTT.

Mr. McCreery, from the same committee, submitted the following minority

REPORT:

MR. PRESIDENT—

The undersigned, member of the joint committee of the Senate and House of Representatives, appointed for the purpose of inquiring into the prices paid for public printing, and to ascertain and report whether or not said prices are too high or too low, and if so, how much the same ought to be reduced, have, in connection with other members of the committee, had the subject under consideration, and would beg leave to report that, in my opinion, the prices now allowed are much too high, and could be considerably reduced without injury to the state or injustice to the printer—with this conviction on my mind, I am compelled to dissent from the views of the majority of the committee, and briefly to state the reasons which impel me to this course.

Assuming that the various offices of the state were created for the necessary purposes of the government and the public good, and not for the especial benefit of particular individuals, it becomes the duty of the representatives of the people to see that all such offices as are within their gift, are filled with the most competent and responsible persons, and at the same time with as little cost and expense as possible to the state.

It often happens, however, from the peculiar nature of the services required, that it is impossible to arrive, with any degree of certainty, at a correct standard of prices or compensation for such official services; but it is, nevertheless, the duty of the government to approximate, as near as possible, to it. In the higher offices of the government, requiring the exercise of great

ability, and the possession of extraordinary knowledge and information, a proper compensation for services can only be remotely approximated. But in those offices requiring only ordinary intelligence; and especially in those requiring, for the most part, only physical labor and mechanical skill—things that are subject to daily rivalry and competition, the value and worth of services can be readily ascertained and accurately estimated—they are, in fact, regulated and fixed by the laws of trade, business and custom; as much so, indeed as the market price of merchantable commodities. With regard to the duties that are required of the public printer, they bring into requisition only such ordinary intelligence, aptitude and skill as are, for the most part, possessed in common by all the numerous followers of that craft. The printer's business is as much a trade as that of the carpenter or smith, and the worth of his labor as easily ascertained—they are regulated by the same laws as those that apply to the other mechanical pursuits, and there is no greater reason why the legislature should fix an arbitrary standard of prices for executing the public printing than there is to fix a like standard of prices for carpenter's work to be done upon the state house, penitentiary and other public buildings.

The object of the committee, as I understood it, was to ascertain the lowest rate of prices that could be secured for doing the state printing, with honor to the state, and justice to the printer; in order to obtain that object, the chairman of our respective committees pursued the only practical course which seemed to open the way to the desired information—and that was to communicate with the proprietors of the several printing houses of the city—accordingly a letter was addressed to each of the editors and publishers of the several newspapers in the city to the following effect.

SIR: The undersigned, as chairman of the two committees of the Senate and House of Representatives, appointed for the purpose of ascertaining whether the prices which are now paid the public printer under the law, which you will find on page 879, Gould's Digest, 2d section, are more than ought to be paid by the state, have thought best to address you upon the subject, with the view to get your opinion. You will, therefore, please state whether the prices now paid for public printing are too high or too low—and if too high or too low, please state in what particular—our object is to arrive at a rate of prices for public printing, which will be both honorable on the part of the state, and just to the individual who may be elected public printer.

Signed:

O. H. OATES, *Chairman*
Senate Committee.

D. L. KILLGORE, *Chairman*
House Committee.

In response to this communication, answers were received from the editors or publishers of the True Democrat, the Old Line Democrat and Gazette. The publishers of two of those papers stated that the prices now allowed were not too large, and recommended but slight change, but the proprietor of the other paper stated that the prices were much too high; and could be reduced, on an average of fifteen (15) per cent., and still afford reasonable living profits to the printer. He stated, moreover, that he was willing to enter into a contract, with good and sufficient security, to do all the public printing in a prompt, neat and substantial and workmanlike manner, at the rates of 15 per cent. less than the prices now paid. The party who made this proposition, is, so far as I know and believe, both competent and responsible. In the face of such a plain and intelligible proposition as that, coming as it did from a competent and responsible person, and one, too, whose opinion the committee had specially sought, for the avowed object of arriving at a rate of prices for public printing, that should be both honorable to the state and just to the printer, I am at a loss to conjecture upon what grounds and considerations of public policy and economy the majority of the committee could have proceeded on in not recommending that reduction.

In the present troublesome and necessitous times of the country, when hard times are beginning to press heavily upon the people, and still harder ones approaching—it becomes the duty of the government to husband every possible and available resource—to act with the utmost prudence and economy; and to reduce as much as possible, the heavy expenses of the state. The cost of public printing is a heavy tax upon the people—it constitutes one of the largest items of the public expenditures, and if, as we have been assured, that cost can be reduced to the extent of fifteen per cent.; nearly one sixth part of the whole, I can see no just reason why it shall not be done. In my opinion, however, the interest of the state can be best subserved, and at the same time, the best means adopted to arrive at a certain knowledge of the fair rate for which the public printing can be done, is by letting out the work to the lowest bidder, thereby inviting full competition, and giving an opportunity to all who may choose to come forward to make a bid. With this view, I offer a bill, which I think is so well guarded in every particular as to secure the cheapest rates without the possibility of resulting in the least injury to the state, or injustice to the printer, which I herewith submit and earnestly recommend its passage.

Respectfully,

D. McCREERY, *one of the
joint committee on public printing.*

A BILL

To be entitled "an act to amend the 137th chapter of Gould's Digest, and to provide for letting out the public printing to the lowest bidder.

SECTION 1. *Be it enacted by the General Assembly of the State of Arkansas,* That so much of chapter 137, Gould's Digest, as provides for the election of a public printer by the General Assembly; and that so much of said chapter as provides for the compensation, and fixes the rates of prices to be allowed and paid the public printer, be, and the same is hereby repealed; and that hereafter, the public printing of the state shall be let out to the lowest bidder or bidders, under such restrictions and limitations, and upon such conditions as are hereinafter provided for.

SEC. 2. *Be it further enacted,* That it shall be the duty of the secretary of state, and he is hereby authorized and required, immediately after the adjournment of this General Assembly, and every two years thereafter, to invite, by advertisements, in one of the newspapers published in the city of Little Rock, sealed proposals for doing the public printing of the state.

SEC. 3. *Be it further enacted,* That such proposals shall be made in writing, signed by the person or persons making the same; that they shall be sealed, and indorsed "sealed proposals for doing the public printing of Arkansas," and handed in to the secretary of state, within twenty days after invitations for the same have been published as hereinbefore provided for.

SEC. 4. *Be it further enacted,* That all such proposals shall be made in the following manner and form, to-wit:

"I (or we) hereby propose and agree, to enter into a contract and agreement with the State of Arkansas, and to obligate myself (or ourselves) in the penal sum of \$5,000 00, with good and sufficient security, to be approved by the governor, to execute for the term of two years, in a prompt, neat, substantial and workmanlike manner, all the public printing of the state for the same (or at the rates of ——— *per cent.* less or more than the) prices and rates of compensation allowed by the provisions of said 137th chapter of Gould's Digest."

SEC. 5. *Be it further enacted,* That all such proposals, as may be received by the secretary of state, shall, as soon as practicable after the time limited for receiving the same shall have expired, be opened in the presence of the governor and auditor of public accounts, and the name or names of the bidders ascertained and declared in the order of their bids, beginning with the lowest.

SEC. 6. *Be it further enacted,* That it shall be the duty of the secretary of state, and he is hereby authorized and required,

immediately after such proposals have been opened, and the names of the bidders ascertained and declared, in order, as aforesaid, to inform the person who is declared the lowest bidder of that fact, and that he is required, within a reasonable time, to give a bond as the law requires, and that such bidder, on executing such a bond as is hereinafter provided for, shall be public printer of the state, to hold office for the term of two years, and until his successor is duly qualified.

SEC. 7. *Be it further enacted*, That the public printer shall give a bond, payable to the State of Arkansas, with good and sufficient security, to be approved by the governor, in the penal sum of FIVE THOUSAND DOLLARS, conditioned for the faithful performance of his duties; and otherwise to be subject to all the provisions and requirements of the laws now in force applicable to the public printer, not inconsistent with the provisions of this act.

SEC. 8. *Be it further enacted*, That if the said lowest bidder shall fail, in a reasonable time after being notified by the secretary of state, to give bond, as the law requires, then it shall be competent for the next lowest bidder to execute such bond, and become entitled to the provisions of this act; and that, in the event of such failure, on the part of the next lowest bidder, then it shall be competent for the next lowest bidder to execute such bond, and so on up to the highest bidder; and that, in the event of such failure on the part of all the bidders, that it shall be the duty of the governor, and he is hereby authorized and required, to appoint a public printer, upon the best terms he can arrange.

SEC. 9. *Be it further enacted*, That in the event of any failure, on the part of the public printer, to discharge faithfully the duties of his office, that it shall be the duty of the governor to prosecute him forthwith on his official bond; and that, if such failure of duty constitutes either palpable malfeasance or misfeasance of office, that it shall be the duty of the governor to take the public printing out of his hands, and place it in the hands of competent persons, to be done upon the best terms he can arrange.

SEC. 10. *Be it further enacted*, That all laws and parts of laws now in force, applicable to the public printer, not inconsistent with the provisions of this act, shall remain in full force and effect.

SEC. 11. *Be it further enacted*, That this act shall take effect and be in force from and after its passage.

(Mr. Watkins was called to the chair.)

Said reports and bill, having been read, were, on motion of Mr. Rosson, received.

On motion of Mr. McCreery, the rules were suspended, and the accompanying bill read the second time by title.

On motion of Mr. Oates, one hundred copies of each of the reports and accompanying papers were ordered to be printed for the use of the Senate.

On motion of Mr. Fagan, the reports and bill were referred to the committee of the whole Senate, and made the special order for Friday next at 10 o'clock, a. m.

Mr. Trimble, from a select committee, made the following

REPORT.

Mr. PRESIDENT—

The select committee, to whom was referred House bill No. 88, to be entitled “an act to incorporate the Batesville Mutual Insurance Company,” have had the same under consideration, and have instructed me to report the same back to the Senate, and recommend its passage.

TRIMBLE, *Chairman.*

Which report was received; and,

On motion of Mr. Trimble, the bill was read the third time and passed.

On motion of Mr. Craighead, the Senate adjourned until 9 ½ o'clock, Monday morning.

THOS. FLETCHER,

President.



MONDAY, *December 17th*, 1860.

The Senate met pursuant to adjournment.

Roll called.

P R E S E N T :

Messrs. Askew, Belser, Carrigan, Clark, Craighead, Davies,

Douglas, Fagan, Gray, Lemoyne, McAlexander, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—24.

The journal of Saturday was read, approved and signed.

Petitions from counties being in order, Mr. Oates presented the petition of sundry citizens of Phillips county, representing that they are aggrieved by the operation of an act to provide for making and repairing levees in Desha and Phillips counties; that they regard the provisions of said act as unjust, oppressive and unequal in their operation upon those affected thereby, very many of whom have been subjected to the necessity of filing bills in chancery to enjoin the collection of the taxes assessed against them by the provisions of said act; therefore, they pray the repeal of said act, so far as the same applies to Phillips county.

Which petition was read, and, on motion of Mr. Oates, referred to the committee on swamp and overflowed lands.

Motions and resolutions were in order.

Mr. Fagan offered Senate joint resolution, accompanied by a petition of citizens of Saline county, to-wit:

Resolved by the General Assembly of the State of Arkansas,
That our senators in Congress be instructed, and our representatives requested to use their best exertions to procure the establishment of a mail route from Pine Bluff via Turin and Belfast to Fair Play, in Hot Spring county, to be carried in four horse post coaches, tri-weekly.

Which resolution was read the first time.

On motion of Mr. Fagan, the rules were suspended, the resolution read the second time; and,

On motion of Mr. Davies, it was adopted.

Mr. Terry presented the following accounts:

THE STATE OF ARKANSAS,		
<i>For the use of the Senate,</i>		
To E. ILLG,		<i>Dr.</i>
Dec. 7, 1860.—To 1 metallic coffin.....	\$150 00	
To burial expenses.....	10 00	
		\$160 00

THE STATE OF ARKANSAS,

For the use of the Senate,

To E. ILLG,

Dr.

Nov. 10, 1860.—To furnishing and putting on 10 desk locks	\$10 00
To furnishing and putting on 3 drawer locks, @ 75.....	2 25
Nov. 14, 1860.—To 1 walnut writing table.....	6 50
19, To 2 desk locks.....	2 00
Dec. 4, 1860.—To 1 “ “	1 00
11, To 1 “ “	1 00
11, To putting shutters to door.....	3 00
	\$25 75

LITTLE ROCK, Dec. 14, 1860.

Said accounts were read, and, on motion of Mr. Terry, referred to the committee on claims.

Mr. Rosson, at the instance of Mr. Belser, presented the following resolutions, adopted at a meeting of the citizens of Van Buren county, to-wit:

Resolved, 1st. That the bill introduced into the Senate of the State of Arkansas, to suspend the payment of debts for two years, is a violation of the constitution, and an infringement of the rights of the people.

2d. That if such a bill were not unconstitutional, it would be impolitic, and that no exigency can require men to be released from their debts, or have the time prolonged in which they have agreed to pay them; and that the parties to contracts alone have the right to change them.

3d. That our senator from this senatorial district, and our representative from this county, be instructed to oppose, by all honorable means, the passage of this bill; and, if passed, to use all honorable means to obtain its repeal.

4th. That, in our judgment, if such a bill should be passed, it will become the duty of the governor to return it with his veto.

5th. That the passage of the bill would destroy confidence among our citizens at home, and impair our credit abroad.

6th. That we view with honest contempt the man or men who would introduce such a bill in our legislative body.

Mr. Fagan moved that the Senate refuse to entertain the sixth and last resolution; on which motion, Mr. Belser demanded

the yeas and nays, which demand was sustained, and the roll called with the following result:

YEAS—Messrs. Askew, Carrigan, Clark, Craighead, Davies, Douglas, Fagan, Gray, McAlexander, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—22.

NAYS—0.

(Mr. Belser asked to be and was excused from voting.)

So the Senate unanimously refused to entertain the 6th resolution.

Thereupon, on motion of Mr. Belser, the remaining five resolutions were referred to the committee on judiciary.

Mr. Askew offered Senate joint resolution No. 14, to-wit:

WHEREAS, Every day's experience makes it manifest that it is very doubtful whether the State of Arkansas will have any use for a senator in the next United States Congress, and that an election of one might be construed into an approbation of the many grievances perpetrated upon the rights of the citizens of the South; therefore

Be it resolved, That the resolution proposing to go into an election for United States Senator on Thursday next, with the concurrence of the House, be, and the same is hereby rescinded.

Which resolution was read the first time, and took its course under the rule.

Mr. Terry, on leave, presented the petition of Pinkney B. Cox, of Pulaski county, referring at length to the present condition of national affairs, and suggesting the passage of a series of resolutions therein set forth, declaring Arkansas a free and independent sovereign state, asserting her nationality, etc., etc., etc., etc., etc.

Which petition was read, when

Mr. Craighead moved to lay the same upon the table until the year A. D., 1900, and that the secretary be directed not to spread the same upon the journal of the Senate, which motion prevailed.

Message from the House of Representatives by the clerk:

MR. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have concurred in Senate amendment

to House resolution to go into an election of United States senator on Thursday next, 20th inst.

The House of Representatives have passed House bill No. 25, to be entitled an act concernig slaughter houses and butchers in the cities of Little Rock, Camden, Washington, Fort Smith, Jacksonport, Batesville and Van Buren, and to promote the health of said cities, and for other purposes.

Also, House bill No. 176, to be entitled "an act to incorporate the city of Augusta."

Also, House bill No. 178, to be entitled an act to incorporate the Iron Mountain and Helena railroad company.

Said three House bills are herewith transmitted for the assent of your honorable body, which is respectfully asked.

S. M. SCOTT, *Clerk of
House of Representatives.*

Reports from standing committees were in order.

Mr. Rosson, from the committee on swamp and overflowed lands, made the following

REPORT:

MR. PRESIDENT—

The committee upon swamp and overflowed lands, to whom was referred Senate bill No. 17, entitled an act to invest the swamp and overflowed lands and the proceeds arising from the sale of said lands in the Clarksville district, as stock in the Little Rock and Fort Smith railroad company, have considered the same, and being unable to agree, have instructed me to report the same back to the Senate and ask to be discharged from the further consideration of the same.

ROSSON, *Chairman*

Which report was received, and on motion of Mr. Rosson, adopted, and the committee thereby discharged from the further consideration of said bill.

On motion of Mr. Clark, said bill was referred to the committee on internal improvements.

The following message was received from the governor:

MR. PRESIDENT—

I am instructed by the governor to report to the Senate that on the 17th day of December, 1860, he approved and signed an act to incorporate the Pocahontas and Gainesville Male and Female Colleges.

W. M. MATHENY,
Private Secretary.

December 17th, 1860.

Mr. Oates, from the committee on judiciary, made the following

REPORT:

MR. PRESIDENT—

The judiciary committee to which was referred Senate bill No. 75, to be entitled an act to establish separate courts in the county of Jackson, have considered the same, and said bill is herewith returned and its passage recommended.

OATES, *Chairman*.

Which report was received, and on motion of Mr. McCreery, the bill was read the third time.

On motion of Mr. Oates, said bill was made the special order for 11 o'clock to-morrow morning.

Pursuant to previous order, engrossed Senate bill No. 13, to be entitled an act to aid the construction of the different railroads in the State of Arkansas, was taken up.

On motion of Mr. Rosson, the bill was postponed for the present.

Mr. Clark, from the committee on education, made the following

REPORT:

MR. PRESIDENT—

The committee on education to whom was referred Senate bill No. 74, entitled an act to incorporate the Franklin Male Institute at Ozark, Arkansas, have had the same under consideration, and have instructed me to report the same back to the Senate and recommend its passage.

CLARK, *Chairman*.

Said report was received, and on motion of Mr. Miller, the bill was read the third time and passed.

The introduction of bills was in order.

No. 87. Mr. Mecklin introduced Senate bill to be entitled an act requiring insurance companies beyond the limits of the State of Arkansas, to secure the payment of policies taken by them in this state.

Read the first time.

On motion of Mr. Mecklin, the rules were suspended, the

bill read the second time by title, and referred to the committee on judiciary.

No. 88. Mr. Davies introduced Senate bill to be entitled an act to authorize the clerk of the circuit court and ex-officio recorder of Randolph county to transcribe the assessment list of said county.

Read the first time.

On motion of Mr. Davies, the rules were twice suspended, the bill read the second and third times by title, and passed.

No. 89. Mr. Fagan introduced Senate bill to be entitled an act to incorporate the trustees of Benton Male and Female Academy in this state.

Read the first time.

On motion of Mr. Fagan, the rules were twice suspended, the bill read the second and third times by title, and passed.

Mr. Mitchell was called to the chair.

No. 90. Mr. Davies introduced Senate bill to be entitled an act to increase the compensation of the associate justices of the county courts of Randolph and Greene counties.

Read the first time.

On motion of Mr. Davies, the rules were suspended, the bill read the second time by title, and on motion of Mr. President, referred to the committee on judiciary.

Mr. President, on leave, offered the following resolution proposing an amendment to the constitution.

Resolved by the General Assembly of the State of Arkansas, That the following amendment be proposed to the constitution of this state, to-wit: That the county of Desha may be reduced to any number of square miles not less than six hundred, and a population not less than the *ratio* of representation.

Read and passed to the second reading on another day.

Mr. Terry offered the following

RESOLUTION:

Resolved, That the judiciary committee be required to inquire into the propriety of passing a law making it the duty of sheriffs and jailers of each county in this state, to advertise runaway negroes in some certain newspaper in the state, as stray notices are now required to be published.

Read, and on motion of Mr. Fagan, adopted.

On motion of Mr. McColloch, House bill No. 14, to be entitled an act to invest the swamp and overflowed lands in the Champagnolle swamp land district as stock in the Mississippi, Ouachita and Red River railroad company, was taken up and read.

Mr. Davies presented the following minority report on said bill, from the committee on internal improvements:

MR. PRESIDENT—

The undersigned, minority of the committee on internal improvements, to which was referred House bill No. 14, dissent from the report of the majority of said committee, recommending the passage of said bill, and respectfully submit the following reasons:

1st. The bill proposes to invest as stock in the Mississippi, Ouachita and Red River railroad company, all the swamp and overflowed lands granted by act of Congress on the 28th day of September, 1850, to the Champagnolle district in the State of Arkansas, which would be a *diversion* of said lands from the purpose of the grant from Congress to the state.

2d. The bill further provides that all the swamp and overflowed lands which may hereafter be confirmed to the state in said swamp land district shall be subscribed as stock in said road.

3d. Because the state holds the swamp and overflowed lands in her borders as trustee of the general government, for a special purpose expressed in said grant; the state, therefore, cannot apply said lands to any other or different purpose, without committing an unwarrantable breach of faith on her part; as the grant positively declares in *emphatic terms*, that the lands so granted *shall* be applied directly in *kind* toward their own reclamation.

4th. Your minority would further hold that this perversion of the grant would militate against the landed interest of the whole state; which should cherish the favor and confidence of the general government, and should honestly and faithfully discharge the trust reposed in her.

5th. Your minority further hold that the general government has ever exercised a fostering care over the State of Arkansas, many magnificent grants have to her been granted; and in the course of events with honesty and fidelity portrayed in her acts, she may reasonably expect subsequent confirmations throughout the whole state.

6th. Your minority further report that there is now remaining in the Champagnolle swamp land district, of lands con-

firmed to the state and not sold, three hundred and thirteen thousand and sixty-six acres, worth \$939,198 00. Your minority further report that since the first day of October, 1858, there has only been sixteen thousand, two hundred and seventy-five dollars and fifty cents expended for levees in said district.

7th. Your minority further assert that in his judgment this act would be in violation of the 18th section of the bill of rights, which declares that no *ex post facto* law, or law impairing the obligation of contracts shall ever be made.

Your minority, therefore, recommend the rejection of the majority report, and the said House bill No. 14. All of which is respectfully submitted.

JAS. F. DAVIES,
SIMEON E. ROSSON.

Mr. Rosson asked leave to join in the minority report, which was granted, and thereupon he signed the same.

On motion of Mr. Lemoyne, the bill and reports were postponed and made the special order for Wednesday next at 11 o'clock a. m.

On motion of Mr. Terry, the Senate adjourned until 9½ o'clock to-morrow morning.

THOS. FLETCHER,
President.

TUESDAY, *December 18th*, 1860.

The Senate met pursuant to adjournment.

Roll called.

P R E S E N T :

Messrs. Askew, Belser, Carrigan, Clark, Craighead, Davies, Douglas, Fagan, Gray, Lemoyne, McAlexander, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—24.

The journal of yesterday was read, approved and signed.

Message from the House of Representatives, by the clerk:

Mr. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have assented to the following Senate bills, to-wit:

No. 8, entitled an act for the relief of the citizens near Shady Grove church, in Dallas county.

No. 35, entitled an act to amend an act to incorporate the Ouachita Conference Female Academy.

No. 78, entitled an act to authorize the clerk of the circuit court of Independence county to transcribe certain records in his office.

And rejected Senate engrossed bill No. 62, entitled an act for the relief of certain counties.

Said four Senate bills are herewith returned.

The House of Representatives have passed the following House bills, to-wit:

No. 181, to be entitled an act to incorporate the Pine Bluff Cotton Seed Oil Manufacturing company.

No. 188, to be entitled an act to incorporate the town of Austin, in Prairie county.

No. 189, to be entitled an act to change the time of holding the terms of the probate court in Drew county.

No. 191, to be entitled an act to amend an act to provide for making and repairing levees in Desha and Phillips counties, approved 16th day of February, 1859.

Said four House bills are herewith transmitted for the assent of your honorable body, which is respectfully asked.

S. M. SCOTT, *Clerk*

House of Reps.

Mr. Douglas presented the following series of resolutions, adopted at a Union meeting in Benton county, to-wit:

WHEREAS, The conviction is forced upon us by every issue of our weekly periodicals, but more especially by the reckless and incendiary documents which are being sown broadcast over our lovely and patriotic land—documents overwrought and in many instances concocted without a due regard to the facts; fostering an already morbid sentiment, and arraying in a spirit of defiance one section of our country against the other. That there is being nurtured in the South a spirit of anarchy, which, unless chastened and modified by *southern conservatism*, will set at defiance all law, all rights, and involve our country, our whole country in civil war and irremediable ruin. Therefore,

Be it resolved by the citizens of Benton county assembled, That, we, as a people venerate and hold as sacred, our constitution

and Federal Union, purchased by the common blood, baptised by the tears, and consecrated by the "lives, the fortunes and sacred honors" of the purest and most devoted band of patriots that ever honored the face of the earth.

Resolved, That in our judgment, *the constitution* by the purity of its principle, the justice of its requirements, and the liberal spirit of its articles of confederation, has rendered us the most prosperous and glorious nation under the broad canopy of heaven.

Resolved, That we are firm and enthusiastic adherents to a democratic form of government, in which we believe it to be the duty of the minority to submit cheerfully to the will of the majority, *constitutionally expressed*, and in which redress for grievances may more readily and certainly be obtained by discussion and legislation, than by dictation or resort to arms—the common arguments of tyrants and despots.

Resolved, That, whereas a number of northern states have by legislative action nullified the fugitive slave law—a safeguard granted and guarantied to us by Congress and by our *constitution*, that of which no state has the right or *constitutional power* to deprive us. We, as citizens of Arkansas, *with a common South*, appeal to those states, who, we cannot believe are yet lost to every sense of justice, and calmly, but *firmly insist and demand* that they forthwith repeal those enactments which are so palpably in violation of the constitution, and work to us so great injustice.

Resolved, That we cordially indorse and adopt the principles laid down by President Jackson, touching the South Carolina nullification acts of 1832, as a true construction of the constitution, viz: "No state has the right to nullify the acts of Congress, or to secede from the Union."

Resolved, That we repudiate the system of appealing to arms for the redress of our casual grievances, whether by Sharp's rifles in the hands of the hirelings of Kansas aid societies in the North, or Minnie rifles in the hands of minute men in the South, recommended and detailed by the Beechers, the Swards, the Sumners and the Hales, North; or the Yanceys, the Rhetts, the Toombs and Wigfalls of the South.

Resolved, That we esteem the ultra spirit of the extremes both North and South, alike subversive of the harmony and compromises of our government, and the perpetuity of our liberal institutions, and by a blind persistence in such a course, we demonstrate to the world that we have constituted *passion umpire* in our deliberations, and are no longer capable of self-government.

Resolved, That we see in the present issues, no justifiable grounds for secession or revolution, or even the morbid apprehension and agitation of the South. That we regard it as an

anomalous and unwarrantable step in diplomacy to declare war on the *mere anticipation* of an issue.

Resolved, That in secession we see no alternative but civil war, naught but the inevitable and immediate extinction of that very institution of which we are so jealous.

Resolved, That we regret deeply, that our chief executive, Hon. H. M. Rector, did not give us the benefit of his legal and diplomatic acumen, by which he has made such important *recent* discoveries, and informed us in his address on our state and national policy, when soliciting our votes, that "eleven of the northern states had revolutionized the government, and left every other state absolved from its federal allegiance, and free as an independent and sovereign government to seek its own destiny," and that "no legal justification is necessary for secession," at which time he assured us that "though *Seward himself* were elected to the Presidency of the United States, it were no justifiable grounds for secession," and that nothing short of an over act on the part of the North would justify such a step.

Resolved, That we venerate and love the South which is our home, and southern institutions. But we shall never feel justifiable in setting at naught the Federal Union, with all its fountains of immunities and emoluments, teeming with rich blessings to our common country and the whole world, merely from the fact that a majority of the enfranchised citizens of our *democratic republic* have elected to the Presidency of these United States, a man whose principles are inimical to our institutions, and whose election we deplore, but who is rendered harmless by constitutional safeguards, nor yet by legislative enactments of sister states which are "a dead letter," a nullity from their unconstitutionality, *so long as they make no effort to execute those enactments*.

Resolved, That we consider ourselves loyal and devoted subjects of this confederation, common and *equal* in the *rights*, the honors and the blessings of this heaven prospered country. Until the spirit that has manifested itself in the North shall have been more fully developed in *organised* and official violation of our rights and property; then when we have exhausted every legal and honorable recourse to procure redress and indemnity, and not till then will we give up this glorious Union. Then will we in good faith and a strong arm buckle on our armor, having consecrated anew to our country and our brethren, "our lives, our fortunes and our sacred honor," relying on the God of nations who with immaculate justice presides over our destinies, go forth and redeem from their thralldom our violated institutions and our prostrate liberties.

Resolved, That we most earnestly conjure our fellow-citizens to exercise a spirit of moderation and forbearance in these

troubulous times, feeling that we have *justice on our side and must prevail*.

Resolved, That we watch with jealous eye the myriads of reckless and irresponsible demagogues, who, with fiendish energy and industry are sowing the seeds of estrangement and bitterness; and whom we esteem as equally dangerous enemies to our country with those who procure "republican" enactments.

Resolved, That we rely on the intelligence and virtue of a conservative people, and a free and independent exercise of their franchises, untrammelled by *reckless politicians* and their unholy combinations, as our sheet anchor in the storm that is upon us.

Resolved, That we hereby pray our legislature to memorialize our national Congress now in session, to take the constitutional steps to a national convention, for the purpose of adjusting the vexed question of slavery upon *equitable terms* to the south, and to the satisfaction of all sections, if *possible*, and place *forever* beyond the power of politicians to drag it into the political arena, or into our national councils.

Resolved, That from the spirit manifested by the patriotic and better portion of the north, we are led to hope that by honorable negociation, conducted in a liberal spirit in such a convention, the South may procure the repeal of obnoxious laws—entire satisfaction for past grievances and ample security against their recurrence—thus our beloved country would be snatched from the abyss that is yawning to receive us; whilst an intolerant course of crimination and wholesale denunciation would foster a similar spirit on the part of the North, and hasten the consummation of all that we most dread.

Resolved, That it is with mortification we learn from the *entertainment* by our State Senate of the 3d resolution offered by Mr. Terry in that body, November 19th, with all our boasted state sovereignty, over which so much valiant gas has been expended, in *their estimation at least*, we have not yet emerged from servile pupillage, that our mental and moral faculties have not yet arrived at sufficient maturity to enable us of ourselves to discriminate between that which is right and that which is wrong, that which is constitutional and that which is unconstitutional, and with characteristic imbecility, would voluntarily constitute "*our older southern sisters*," our guardians, meekly submit to their dictation, and commit any extravagance those *ancient dames* might *require* of us.

Resolved, That in our judgment, our *legislature* is not clothed with the constitutional power to secede or to negotiate with other states for that purpose, and that such a step would not only be supererogated, but arrogant and unconstitutional—that

such power is vested in the people or a convention elected for that purpose.

Resolved, That we, the citizens of Benton county, as honest men, believe that every man ought to pay his just debts when due, or as soon thereafter as possible; and that legislation for the relief of debtors in its results is far more beneficial to knaves than honest men; and we hereby enter our protest against the bill offered in our State Senate by Mr. Belser, to prevent the collection of all debts by the usual legal process for the space of two years—as pernicious in its tendency as a precedent—impairing at least the *value* of a *contract*, giving those debtors who should feel disposed, an opportunity to squander their property which has been the basis of their credit, and virtually offering a premium to dishonest men to avoid the payment of just debts by removing to parts unknown.

Said resolutions were read, and on motion of Mr. Fagan, referred to the committee on federal relations.

Mr. President laid before the Senate the following resolutions adopted at a meeting of citizens of Arkansas and Jefferson counties:

WHEREAS, The election by a large majority of the northern voters of Abraham Lincoln, a determined abolitionist, to the presidency of the United States, in utter disregard of those fraternal feelings which should actuate the people of all sections of the country in their choice of federal officers, in the culminating wrong of a long series of injuries, to which the South has been *called* to submit to a black republican triumph of mere numbers, against right, constitutional guarantees, and the vital interest of the largest producing portion of the Federal Union; and is a triumph of a party which has never scrupled to declare that its mission is to *exterminate slavery*, and desolate the fairest and most fertile regions of the country, and to substitute their higher laws, for the supreme law of the land, the constitution upon which this government was constructed;

And whereas, The time has come when the states of the South are called upon to provide measures for the effectual protection of their rights and safety and of their persons against the invasion of their territory by the hordes of anti-slavery propagandists, who are now more emboldened than ever, to carry on their cherished schemes of inciting insurrections and servile war: the first practical fruits of their principles was the John Brown raid in Virginia, and now followed by the Montgomery raid into our sister state Missouri—murdering the peaceable citizens for no other cause than they are owners of slaves, and threatening our own State of Arkansas, we are called upon, unmistakably by the signs of the times, to pro-

vide for our own safety, even if in so doing, we should present a hostile front to the aggressive states of the North. There are interests dearer to our hearts than any nationality, however glorious it may be, and believing that in the future we have no better remedy for our wrongs than a stout, bold and united resistance, we do resolve,

1st. That the southern states ought to resist this election, since a quiet submission to it would be sacrificing their equality in the Union, and the respect due a free and independent people.

2d. That we do believe this sectional triumph will but give courage to embolden the fanatics of the North to continue and increase their treasonable attempts to rob the citizens of the South of their property.

3d. That our senators and representatives are requested to introduce a bill in our legislature and urge its adoption, to appropriate the sum of five hundred thousand dollars for the purpose of procuring arms and munitions of war to place the state in a position of defence.

4th. That all the counties in the state are requested to hold primary meetings, with a view of obtaining the sentiments of the people on the all important subject now agitating the country.

5th. That in the event of the southern people, or any portion of them, being driven to the necessity of vindicating their rights and honor by an appeal to arms, we will rally to their aid, to battle with them against a common foe, and share with them a glorious victory, or a no less glorious death.

On motion, the preamble and resolutions were voted for one at a time, when each one was adopted by the whole meeting, without one dissenting voice.

6th. On motion, it was-

Resolved, That our senators and representatives in the legislature, are requested to introduce and support a bill, providing for the speedy assembling of the people in convention, to deliberate and determine the position which the sovereign State of Arkansas shall assume as regards the Union.

Said resolutions were read, and on motion of Mr. Lemoyne, referred to the committee on federal relations.

Mr. Terry offered the following

RESOLUTION:

WHEREAS, In this day of great peril to our beloved Union, the stoutest hearts and wisest minds of our country should be placed at the head of public affairs; *and whereas*, we have in one of our counties, a few distinguished statesmen who have

sprung like Minerva from the brain of Jupiter; *and whereas*, to secure their services, and as a measure of economy, be it therefore

Resolved, That the state capital be removed to Bentonville, Benton county, and all public offices and officers shall be and reside at that place.

Said resolution was read the first time, and took its course under the rule.

Mr. Lemoyne presented the petition of divers citizens of Perry county, to prohibit the sale of ardent spirits in this state; which was read, and on motion of Mr. Oates, referred to the committee on ways and means.

On motion of Mr. Askew, Senate joint resolution No. 14, to rescind the resolution to go into the election of a United States Senator on Thursday 20th inst., was taken up and read the second time.

Mr. Clark moved to strike out the preamble of the resolution, which motion prevailed.

Mr. Askew called for the yeas and nays on the adoption of the resolution as amended, which call was sustained and made with the following result:

YEAS—Messrs. Askew, Belser, Craighead, Davies, Gray, Lemoyne, McAlexander, McColloch, McCreery, Mecklin, Miller, Pennington and Ward—13.

NAYS—Messrs. Carrigan, Clark, Douglas, Fagan, Mitchell, Oates, Rosson, Terry, Trimble, Watkins and Mr. President—11. So the resolution was adopted.

Mr. Fagan, from the committee on enrollments, made the following

REPORT:

MR. PRESIDENT—

The committee on enrollments have examined "an act to incorporate the Des Arc and Dardanelle railroad company," and find the same correctly enrolled.

FAGAN, *Chairman*.

Which report was read and received.

Mr. Clark, from the committee on judiciary, made the following

REPORT:

MR. PRESIDENT—

The judiciary committee to which was referred the petition of certain citizens of Saline county, in reference to the estate of Beverly C. Ransom, have had the same under consideration, and have instructed me to report the accompanying bill to be entitled an act for the relief of Mary Elizabeth and Susan Frances Millner, and recommend its passage.

CLARK, of
said Committee.

Said report was received, and the bill, No. 91, to be entitled "an act for the relief of Mary Elizabeth and Susan Frances Millner," was read the first time.

On motion of Mr. Clark, the rules were suspended, and the bill read the second time by title.

On motion of Mr. Fagan, the bill was referred to a committee of three.

Mr. President appointed as such committee, Messrs. Fagan, Terry and Mitchell.

Mr. McColloch, from the committee on counties and county lines, made the following

REPORT:

MR. PRESIDENT—

The committee on counties and county lines to whom was referred the petition of many citizens of Hot Spring county, asking to be attached to the county of Dallas, have had the same under consideration, and a majority of said committee have instructed me to report the same back to the Senate and recommend its rejection.

McCOLLOCH, *Chairman*.

Which report was adopted, and the petition thereby rejected.

Mr. McColloch, from the committee on judiciary, made the following

REPORT:

MR. PRESIDENT—

The judiciary committee to which was referred House bill No. 4, have had the same under consideration, and a majority of said committee have proposed an amendment thereto, and with the amendment, recommend its passage.

OATES, *Chairman*.

By McCOLLOCH.

AMENDMENT:

After the word Digest, add the following:

Provided, That such entry shall not embrace the settlement or improvement of any person who has settled upon or improved any such swamp and overflowed lands of the state.

On motion of Mr McCulloch, said amendment was adopted; and, on his further motion, the bill was read the third time as amended; and, on motion of Mr. Oates, it was made the special order for Monday next at 10 o'clock, a. m.

Mr. Lemoyne, from a joint select committee, made the following

REPORT:

Mr. PRESIDENT—

The undersigned, to whom was committed the charge of the corpse of the Hon. Wm. A. Jones, of St. Francis county, would respectfully beg leave to represent that, in compliance with the resolution of this honorable body, they superintended the transmission of his remains to his late residence in St. Francis county, and, under the directions of his family, was buried in his own family graveyard, on Thursday, the 13th inst., at 11 o'clock, a. m., attended by his family and a large number of his friends and neighbors.

EXPENSES.

THE STATE OF ARKANSAS,

	To ISAAC HUYCK,	Dr.
To buggy and horses, 9 days, @ \$6 per day.....		\$54 00
	To ALEX'R GEORGE,	Dr.
To hack and horses for carrying corpse, 9 days, @ \$6 per day.....		54 00
To G. W. Lemoyne, for traveling expenses, ferriages and toll rates.....		45 50
For herse.....		5 00
		\$158 50

The committee would further represent, that the widow and children of the deceased respectfully requested that they be privileged to pay for the metallic coffin furnished by the committee of arrangements; and requested that their grateful acknowledgments be tendered the General Assembly and friends

of Little Rock, for the marked respect and esteem evidenced on the occasion.

Respectfully,

G. W. LEMOYNE.
JAS. W. LANDRUM.

Said report was read, and,

On motion of Mr. Oates, referred to the committee on claims.

The hour of 11 o'clock having arrived, pursuant to order, Senate bill No. 75, to be entitled "an act to establish separate courts of chancery in Jackson county," was taken up and passed.

Mr. Clark, from the committee on education, made the following

REPORT :

Mr. PRESIDENT—

The committee on education, to whom was referred Senate bill No. 82, to be entitled "an act to incorporate the Arkansas Synodical College at Arkadelphia," have had the same under consideration, and recommend its passage.

CLARK, *Chairman*.

Said report was received; and,

On motion of Mr. Carrigan, the bill was read the third time and passed.

Mr. Trimble was called to the chair.

Mr. Oates, further from the judiciary committee, made the following

REPORT:

Mr. PRESIDENT—

The judiciary committee, to which was referred Senate bill No. 81, to be entitled "an act to enable married women to dispose of their separate estates," have had the same under consideration, and have instructed me to report the same back to the Senate, with the following amendments, and, as amended, to recommend its passage.

Amendment 1st. Strike out all in the 5th line of the 1st section, after the word "empowered."

Amendment 2d. Insert after the words "dispose of," in the 6th line of the 1st section, the words "by will."

OATES, *Chairman*.

Which report was received; and,

On motion of Mr. Oates, the amendments were severally adopted.

On motion of Mr. Rosson, the consideration of the bill was postponed for the present.

Mr. Oates, from the committee on judiciary, made the following

REPORT:

MR. PRESIDENT—

The judiciary committee, to which was referred substitute House bill No. 21, to be entitled "an act to provide for the election of a tax assessor and collector for the counties of Poinsett and Independence," have had the same under consideration, and have instructed me to report the same back to the Senate, with sundry amendments, and, as amended, to recommend its passage.

Amendment 1st. After the word "Independence," in the 4th line of the first section, add the words "and Crittenden," and by striking out the word "and" between the words "Poinsett and Independence."

Amendment 2d. Add after the figures "1862," in the 5th line of the first section, the words "and every two years thereafter."

Amendment 3d. After the word "state" in the last line of the 2d section, add the words "and shall receive for his services as said assessor and collector, the same per centage on all taxes levied and collected, as now paid the sheriff of said counties of Poinsett, Independence and Crittenden."

Amendment 4th. In lieu of amendment adopted by the Senate, after the 4th section in the bill, add the following section:

"There shall be elected, for the county of Pulaski, an assessor and collector, under the provisions of the foregoing act; and such assessor and collector shall, for all his services as such, be paid out of the taxes assessed and collected by him, the sum of fifteen hundred dollars.

OATES, *Chairman.*

Which report was received.

After some discussion, the bill and amendments were, on motion of Mr. Oates, referred to a select committee of three.

Mr. President appointed as such committee, Messrs. Terry, Watkins and Clark.

Mr. Oates, from the committee on judiciary, made the following

REPORT :

Mr. PRESIDENT—

The judiciary committee, to which was referred Senate bill No. 36, to be entitled “an act for the relief of the people of Arkansas,” have had the same under consideration, and have instructed me to report the same back to the Senate, and recommend its rejection.

OATES, *Chairman.*

Said report was read; and,

On motion of Mr. Rosson, adopted, and the bill thereby rejected.

Mr. Oates, further, from the committee on judiciary, made the following

REPORT:

Mr. PRESIDENT—

The committee, to which was referred Senate bill No. 69, to be entitled “an act for the relief of Benton and Madison counties,” have had the same under consideration, and, for the reason that there is now a bill pending before the Senate to change the judicial circuits, your committee have instructed me to report said bill back to the Senate, and ask to be discharged from its further consideration.

OATES, *Chairman.*

Said report was read; and,

On motion of Mr. Oates, adopted, and the committee thereby discharged from its further consideration.

The introduction of bills was in order.

No. 92. Mr. Carrigan introduced Senate bill, to be entitled “an act for the protection of telegraph lines in the State of Arkansas.”

Read the first time.

On motion of Mr. Carrigan, the rules were suspended, and the bill read the second time.

On motion of Mr. Davies, the bill was amended by inserting the words “wilfully and intentionally,” after the word “shall,” in the 3d line of the 1st section.

On motion of Mr. Carrigan, the rules were suspended, the bill read the third time, as amended, and passed.

No. 93. Mr. Miller introduced Senate bill, to be entitled "an act to move the swamp land office from Clarksville, in Johnson county, to Ozark, in Franklin county."

Read the first time.

On motion of Mr. Terry, the rules were suspended, and the bill read the second time by title.

Mr. Miller moved a further suspension of the rules for the third reading of the bill.

Mr. Lemoyne moved its reference to the committee on swamp and overflowed lands; which motion had priority, and was carried.

On motion of Mr. President House bill No. 150, to be entitled "an act to incorporate the city of Pine Bluff, in Jefferson county, Arkansas," was taken up, and read the first time.

On motion of Mr. President, the rules were twice suspended, the bill read the second and third times by title and passed.

The following message was received from the governor:

Mr. PRESIDENT—

I am instructed by the governor to present to your honorable body the following communication, transmitted to him by his excellency, Sam. Houston, governor of the State of Texas, with the joint resolutions, passed by the legislature of that state, providing for the election of delegates to meet in a convention of southern states, if, by a majority of said states, such a convention should be deemed advisable.

W. M. MATHENY,

December 18th, 1860.

Private Secretary.

EXECUTIVE DEPARTMENT,
Austin, Nov. 28th, 1860. }

To His Excellency, — Rector,
the Governor of the State of Arkansas:

SIR—I have the honor to transmit to you the joint resolution passed by the legislature of the State of Texas, approved February 16th, 1858. I believe the occasion contemplated by the resolutions has arrived.

The present agitation throughout the country, and particularly in the South, arising from the election of a President and Vice President, upon a sectional issue, calls, in my opinion, for

the calm deliberation of statesmen. The assembling of delegates from sovereign states, in a consultative character, and within the scope of their constitutional powers "to preserve the equal rights of such states in the Union," may result in the adoption of such measures as will restore harmony between the two sections of the Union. With this hope I commend the enclosed joint resolution to your consideration, and should such a convention be called, I will, upon the receipt of information as to the time and place of its assembling, immediately order an election for seven delegates to represent Texas in the same.

I have the honor to be

your obedient servant,

SAM HOUSTON.

JOINT RESOLUTIONS

In response to the Governor's Message on Kansas affairs.

WHEREAS, There exists, and has existed, a violent determination on the part of a portion of the inhabitants of the territory of Kansas, to exclude, by force, the citizens of the slaveholding states from a just, equal, and peaceful participation in the use and enjoyment of the common property and territory of the members of the confederacy:

And whereas, This determination, owing to the state of political feeling in the northern states of the confederacy, operating upon the federal government, may become effectual, and the exclusion perpetual; therefore,

"SECTION 1. *Be it resolved by the Legislature of the State of Texas,* That the governor of this state is hereby authorized to order an election for seven delegates, to meet delegates appointed by the other southern states, whenever the executives of a majority of the slaveholding states shall express the opinion that such convention is necessary, to preserve the equal rights of such states in the Union, and advise the governor of this state that measures have been taken for the appointment of delegates, to meet those of Texas; and that the sum of ten thousand dollars, or so much thereof as is necessary, be, and the same is hereby appropriated out of any money in the treasury not otherwise appropriated, to pay the mileage and per diem of such delegates, which shall be paid at the rate paid to members of the United States Congress, according to the law in force in the year 1854.

SEC. 2. That should an exigency arise, in the opinion of the governor, in which it is necessary for the state of Texas to act

alone, or by a convention representing the sovereignty of the state, he is hereby requested to call a special session of the legislature to provide for such state convention.

"SEC. 3. That the governor is requested to transmit copies of these resolutions to the executives of each of the slaveholding states, and to our members of Congress."

Approved February 16, 1858.

THE STATE OF TEXAS,
Department of State. }

I, the undersigned, secretary of state, do hereby certify that the above is a true copy of a joint resolution of the legislature of the State of Texas, approved February 16, 1858.

Given under my hand and the seal of the department of state, this the 28th day of November, A. D. 1860,
[L. s.] and in the year of the independence of the United States, the eighty-fifth, and of Texas, the twenty-fifth.

E. W. CAVE,
Secretary of State.

On motion of Mr. Terry, the Senate adjourned until 9½ o'clock to-morrow morning.

THOS. FLETCHER,
President.

WEDNESDAY, December 19th, 1860.

The Senate met pursuant to adjournment.

Roll called.

P R E S E N T :

Messrs. Askew, Belser, Carrigan, Clark, Craighead, Davies, Douglas, Fagan, Gray, Lemoyne, McAlexander, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—24.

The journal of yesterday was read, approved and signed.

Mr. Fagan, from the committee on enrollments, made the following

REPORT:

Mr. PRESIDENT—

The committee on enrolled bills have examined the following acts, to-wit:

“An act to authorize the clerk of the circuit court of Independence county to transcribe certain records in his office.”

“An act for the relief of the citizens near Shady Grove Church, in Dallas county, Arkansas.”

And “an act to amend an act to incorporate the Ouachita Conference Female College;” and report the same correctly enrolled.

FAGAN, *Chairman.*

Said report was read and received.

On motion of Mr. Askew, House bill No. 148, entitled “an act to incorporate the trustees of the Marysville Male and Female Academy, in Columbia county, and to prohibit the sale of spirituous liquors within two miles of the same,” was taken up and read the second time.

On motion of Mr. Askew, the rules were suspended, the bill read the third time by title, and passed.

Petitions from counties were in order.

Mr. Lemoyne presented the petition of 88 citizens of Perry county, representing that Elizabeth Miller, of said county, is the owner of south-west quarter of north-east quarter of section 19, and of south-east quarter of north-west quarter of section 19, township 5 north, range 16 west, upon which she desires to erect a grist and saw mill, and mill-dam, which petitioners deem of great benefit and utility to Perry county, therefore they pray the General Assembly to grant a charter to said Elizabeth Miller to erect a mill on said tracts of land, giving to her and her heirs such privileges as will justify her in doing so.

Which petition was read; and,

On motion of Mr. Lemoyne, was referred to the committee on memorials.

Mr. Douglas offered the following

RESOLUTION:

WHEREAS, In the present state of public excitement, it is proper and necessary that all the light should be communicated to the General Assembly, that can be obtained from every portion of the state; and it is therefore very necessary that the political resolutions, adopted in the different counties in this state, should be referred to the committee on federal relations, as has been the custom in our body, without rendering the introducer liable to censure, or the citizens of the county or counties who adopted them, liable to reproach for the exercise of their just rights; therefore,

Resolved, That the resolution offered by the senator from Pulaski, of December 18th, proposing to remove the state capitol to Bentonville, for certain satirical reasons therein named, was uncalled for, improper and injurious in its effects, being calculated to excite unkind and angry feelings between the good citizens of this state, who, though they may differ in their opinions, have alike at heart the best interest of our country.

Which resolution was read, and on motion of Mr. Rosson, ordered to take its course under the rules.

Message from the House of Representatives by the clerk:

MR. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have passed the following House bills, to-wit:

No. 165, to be entitled “an act to establish nine judicial circuits in this state.”

No. 166, to be entitled “an act to aid the foreclosure of the stock mortgages given to secure stock subscriptions to the Real Estate Bank of the State of Arkansas.”

No. 195, to be entitled “an act to incorporate the Northwest Arkansas Baptist Female Institute.”

Said three House bills are herewith transmitted for the assent of your honorable body, which is respectfully asked.

I am also instructed to inform your honorable body that the House of Representatives have adopted the following joint resolutions:

Be it resolved by the General Assembly of the State of Arkansas, That we have received with highest sentiments of respect, the communications which have been made to us by the State of Mississippi, through her distinguished commissioner, George R. Falls, esq., and we hail with highest pleasure, this renewed assurance on the part of Mississippi, that the fraternal regard and warm relations which have heretofore characterized the intercourse of our states, will continue, and that our citizens have a common interest, deep, lasting and abiding.

Resolved, That we discharge a just and pleasing duty in testifying to the State of Mississippi, the able and dignified manner in which her commissioner has discharged the offices entrusted to him by his state.

Resolved, That the State of Arkansas deeply appreciates the motive of Mississippi, in proposing to counsel with those who have a common interest and a common destiny with herself, fully recognizing with her the necessity for prompt and early action, in view of the present disturbed relations between the two sections of our confederacy; that we feel that this government has been prostituted by the fanaticism of a large political party, from the high and pure objects for which it was formed, and rendered an engine of oppression, to those whom our forefathers recognized as co-equal in this government.

Resolved, That the governor of the state be requested to communicate the foregoing resolutions to the governor of Mississippi.

Resolved, That the President of the Senate and Speaker of the House of Representatives transmit to Hon. Geo. R. Falls a copy of the foregoing resolutions.

Said resolutions are herewith transmitted for the concurrence of your honorable body, which is respectfully asked.

S. M. SCOTT, *Clerk of*
House of Representatives.

Reports from standing committees were in order.

Mr. Clark, from the committee on education, made the following

REPORT:

MR. PRESIDENT—

The committee on education, to whom was referred Senate bill No. 80, to be entitled "an act amendatory of an act for the benefit of the citizens of township 16 north of range one west, approved 5th February, 1859," have had the same under consideration, and have instructed me to report the same back to the Senate, and recommend its passage.

CLARK, *Chairman.*

Said report was read and received, and on motion of Mr. Clark, the bill read the third time and passed.

Mr. Davies, from the committee on claims, made the following

REPORT:

MR. PRESIDENT—

The committee on claims, to whom was referred the

petition of Duke Marlow and Andrew Beal, have had the same under consideration, and have instructed me to report the accompanying bill and recommend its passage.

J. F. DAVIES, *Chairman*.

Which report was received, and the bill, No. 94, to be entitled "an act for the relief of Duke Marlow and Andrew Beal," was read the first time.

On motion of Mr. Davies, the rules were twice suspended, the bill read the second time by title, and the third time in full, and passed.

Mr. Watkins, from the committee on ways and means, made the following

REPORT:

MR. PRESIDENT—

Your committee on ways and means, to whom was referred Senate bill No. 53, entitled an act to adopt the Arkansas Institute for the Blind, and endow the same, have had the same under consideration and a majority of the committee have instructed me to report the same back to the Senate and to recommend its rejection.

WATKINS, *Chairman*.

Which report was read and received.

Mr. Pennington, from the same committee, submitted the following minority

REPORT:

MR. PRESIDENT—

The minority of the committee on ways and means, to which committee had been referred Senate bill No. 53, to be entitled "an act to adopt the Arkansas Institute for the Blind, located at Arkadelphia, and to endow the same," dissenting from the opinion of a majority of said committee, respectfully beg leave to report:

That, in the present disturbed condition of the country it is, perhaps, impolitic to appropriate the sum of ten thousand dollars to purchase a site and erect buildings for such institution, but that it is to the *pecuniary interest* of the people of this state, that the school should not be suffered to dissolve. In coming to this conclusion we are impressed with the fact that in the school, pupils are not only taught to read, write, cypher and other studies, but they are taught a trade, and how to earn a livelihood, and so, from dependents and paupers, they are elevated to the rank of useful citizens, and fill a useful place in the

economy of government. Thus, the counties are relieved from their support, the state has elevated a class of her citizens, and in the language of the constitution the state has "*countenanced and encouraged the principles of humanity, industry and morality.*"

It has been asserted that no appropriation can be made for this purpose unless by a vote of two-thirds of both houses, under and by virtue of a forced construction of this passage in the constitution of our state: "No other or greater amount of revenue shall at any time be *levied* than required for the necessary expenses of the government, unless by a concurrence of two-thirds of both houses of the General Assembly."

It will be seen that this clause relates entirely to the levying of a tax for extraordinary purposes, and does not relate or refer to appropriations. The same constitution eloquently, because truly and simply says:

"Knowledge and learning generally diffused through a community, being essential to the preservation of a free government, and diffusing the opportunities and advantages of education through the various parts of the state, being highly conducive to this end—it shall be the duty of the General Assembly to provide by law for the improvement of such lands as are or hereafter may be granted by the United States to this state for the use of schools and to apply any funds which may be raised from such lands, *or from any other source*, to the accomplishment of the object for which they are or may be intended. The General Assembly shall, from time to time, pass such laws as shall be calculated to encourage intellectual, scientific and agricultural improvement, by allowing rewards and immunities for the promotion and improvement of arts, science, commerce, manufactures and natural history; and countenance and encourage the principles of humanity, industry and morality."

Even admitting, for the sake of argument, the ludicrous construction that the General Assembly cannot *appropriate* money, except for necessary expenses of the government, unless by a concurrence of two-thirds, it would then be requisite to enquire what are "necessary expenses." We unhesitatingly assert that the education and mental and moral advancement of her citizens are among the first duties of the state. So also is the encouragement of agricultural and mechanical pursuits. This government was not instituted merely to punish crime, pay the fees of state officers, and protect property, but also to provide for the mental and moral advancement of the people; to encourage agriculture, mechanics, learning, science and art; to develop those great principles of humanity, without a liberal exercise of which no nation can become great; to protect the weak and to give all the benefits of a liberal education, for says the constitution "knowledge and learning are essential to the preserva-

tion of a free government." If the sophism of a two-thirds vote being necessary is carried out, we find that the great body of our people, the mechanics and farmers, are virtually cut off from any appropriations or immunities. Office-holders and privileged persons may have money appropriated by a bare majority, while the people must get a larger number to vote what they are justly entitled to. Munificent grants have been made to this state for the purpose of education, and a system of common schools has been established, but this system does not provide for a certain class of citizens, and it is their right to demand at our hands their quota or share of the funds arising from these grants. Apart from all this, there are higher and more ennobling considerations which should actuate us as men and senators. Beyond the great principle of charity lies that of justice, and these unfortunates have rights which we should secure to them.

The minority, believing the bill before them to be somewhat objectionable, or rather impolitic, have prepared and report herewith a substitute therefor, the passage of which they earnestly recommend.

A. A. PENNINGTON,
A. M. WARD.

No. 53, a bill to be entitled an act to aid the Arkansas Institute for the blind, which was incorporated on the 4th day of February, A. D. 1859.

SECTION 1. *Be it enacted by the General Assembly of the State of Arkansas,* That the trustees of said institute shall, in their report to the governor, state the cost of maintaining the institute at Arkadelphia, and at other points, and the relative advantages of each, with a view to the permanent location of the same hereafter.

SEC. 2. *Be it further enacted,* That indigent blind persons in this state between six and twenty-six years of age may be admitted as pupils in said institute upon the terms and conditions hereafter stated. The indigency of said proposed pupil shall be ascertained, as follows: The county court of the county where such pupil resides, upon the case being presented, shall ascertain whether the blind person has any estate, or if the parent or parents are able to pay for the board and tuition thereof, and if said court shall find that said pupil is destitute of estate or means and that his parents or parent, are incapable, by reason of poverty, of supporting the blind person at the institute, the said court shall make an order stating the fact of such finding, and such order shall be certified to the governor, who shall issue an order for the admission of such indigent blind person into the said institute.

SEC. 3. *Be it further enacted,* That the sum of two hundred dollars per annum is hereby appropriated, to be paid two parts

thereof, out of the seminary fund, and the remainder out of the saline fund, to pay for the board, tuition and other expenses at the institute of each indigent pupil so admitted, and of such pupils now at the institute, whom the trustees shall certify are indigent and whose parents or estate are unable to pay for their board and tuition; *Provided*, That during the present and succeeding year the number of state pupils in said institution shall not exceed twenty, and in case the number of pupils so supported by the state shall not exceed twenty, the principal of the institution shall receive a salary of nine hundred dollars a year, to be paid out of the respective funds above named, and in the said proportions, and the facts of the number of the pupils, with their names and ages, shall be certified to the auditor by the president of the board of trustees and attested by the secretary.

SEC. 4. *Be it further enacted*, That in case of a vacancy in the board of trustees of said institution, they shall suggest the name of some suitable person to the governor, who, if he approves thereof, shall appoint said person.

Said minority report was read and the substitute bill was read the first time.

The original bill was read for information.

On motion of Mr. Clark, the substitute bill was adopted in lieu of the original; and on his further motion, the rules were suspended and the substitute read the second time.

Mr. Davies offered to amend the bill with the following proviso:

Provided, That the pupils of this school shall be selected from the several senatorial districts of this state; *and provided further*, That one scholar shall be selected from each senatorial district.

Said amendment was not adopted.

On motion of Mr. Clark, the bill was postponed and made the order for Saturday next at 11 o'clock, a. m.

Mr. Rosson was called to the chair.

Pursuant to previous order, House bill No. 14, to be entitled an act to invest the swamp and overflowed lands in the Champagnolle swamp land district, as stock in the Mississippi. Ouachita and Red River railroad was taken up.

Said bill and the majority and the minority reports were read.

Mr. Davies moved to adopt the minority report, which recommended the rejection of the bill.

Said motion was discussed by Messrs. Craighead, in the affirmative, and Clark in the negative.

Before a vote was taken on said motion, the Senate on motion of Mr. Craighead, adjourned until 9½ o'clock, to-morrow morning.

THOS. FLETCHER,
President.

THURSDAY, *December 20th*, 1860.

The Senate met pursuant to adjournment.

Roll called.

P R E S E N T :

Messrs. Askew, Belser, Carrigan, Clark, Craighead, Davies, Douglas, Fagan, Gray, Lemoyne, McAlexander, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—24.

The journal of yesterday was read, approved and signed.

Mr. Belser asked and obtained indefinite leave of absence.

The following message was received from the House of Representatives by their clerk:

MR. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have passed the following House bills, to-wit:

House bill No. 168, to be entitled an act to repeal section 3 of chapter 148, of Gould's Digest, in relation to the levying of an annual tax for state purposes.

No. 196, to be entitled an act to invest the proceeds of the sales of all the swamp and overflowed lands that have been,

or may hereafter be made in the Clarksville swamp land district, as stock in the Little Rock and Fort Smith branch of the Cairo and Fulton railroad company.

House bill No. 193, to be entitled "an act for the relief of Crawford, Sebastian, Jackson, Ouachita, Perry, Madison, Poinsett and Polk counties."

House joint resolution No. 19, proposed amendment to the constitution, relative to the area of counties.

Said 3 bills and joint resolution, are herewith transmitted for the assent and concurrence of your honorable body, which is respectfully asked.

S. M. SCOTT, *Clerk*

House of Reps.

Motions and resolutions were in order.

Mr. Oates offered the following joint resolution, to-wit:

WHEREAS, Unanimity and concert of action amongst the southern states, are indispensably necessary to the success of any attempt by them to maintain their constitutional rights, their honor and their dignity, which the people and legislatures of the northern states have, for years, persistently and systematically assailed and violated with fanatical fury, and without either provocation or the possibility of advantage to themselves; and,

Whereas, Such unanimity can only be secured by a full and free communication amongst the slaveholding states of the sentiments, wishes and views of each upon the momentous questions which are now agitating the minds of all the people of the South; therefore,

Be it resolved by the General Assembly of the State of Arkansas, That all of the slaveholding states be, and they are, hereby requested to send commissioners to meet such commissioners as may be sent by the General Assembly of the State of Arkansas, at the city of Nashville, in the State of Tennessee, on the 4th Monday in January, A. D. 1861.

Resolved, That when the commissioners, provided for in the preceding resolution, shall have met at the time and place designated, they shall take into consideration the condition of the slaveholding states, and communicate to each other as accurately as they are able, the feelings, opinions and designs of their respective states, upon the great questions aforesaid, and also the pecuniary condition and probable resources thereof, and upon a full consideration of the premises, to devise, if practicable, some plan which all the southern states can unanimously and heartily agree to and adopt, for the redress and removal of all the grievances concerning which they have

cause to complain of the people and legislatures of the northern states, and for the prevention of a recurrence of similar causes of complaint hereafter, and to report to their respective states the information obtained, and any plan for the purposes aforesaid which they may have devised in the discharge of the duties aforesaid.

Resolved, further, That this General Assembly will, on a day to be appointed, elect, by joint ballot of the two houses, four members of its own body to be commissioners on the part of this state under the foregoing resolutions.

Resolved, further, That the governor of this state be, and he is hereby required to transmit at as early a day as possible, copies of these resolutions to the governors of each of the other slaveholding states, accompanied with a request that they will take immediate action thereon.

Said resolutions were read the first time.

On motion of Mr. Oates, the rule was suspended, and the resolutions read the second time by preamble.

Mr. Terry moved to refer the resolutions to a select committee of three, to consist of Messrs. Oates, Rosson and Watkins, with instructions to report back on to-morrow morning.

Which motion prevailed.

On motion of Mr. Rosson, Messrs. McCreery and Craighead were added to said committee.

Mr. McColloch moved to take up House bill No. 14, to be entitled "an act to invest the swamp and overflowed lands in the Champagnolle swamp land district as stock in the Mississippi, Ouachita and Red River railroad."

Which motion was lost on a division, two-thirds not voting in the affirmative—11 in the affirmative, and 9 in the negative.

No. 95. Mr. Askew, on leave, introduced Senate bill, to be entitled "an act to equalize the races as between the African and black republican, and to prevent the enforcement of mob law."

Read the first time.

On motion of Mr. Askew, the rules were suspended, and the bill read the second time by title.

On motion of Mr. Davies, it was referred to the committee on judiciary.

The following message was received from the House of Representatives by their clerk:

Mr. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have passed House bill No. 194, to be entitled "an act to provide for making and repairing levees in Crittenden county."

Said bill is herewith transmitted for the assent of your honorable body, which is respectfully asked.

S. M. SCOTT, *Clerk of*
House of Representatives.

Mr. Fagan, from a select committee, made the following

REPORT:

Mr. PRESIDENT—

The select committee, to which was referred Senate bill, entitled "an act for the relief of Mary Elizabeth and Susan Frances Millner," have had the same under consideration, and instruct me to report the bill back to the Senate, and recommend its passage.

FAGAN, *Chairman.*

Said report was received; and,

On motion of Mr. Fagan, the bill was read the third time and passed.

Mr. Rosson, from the committee on swamp and overflowed lands, made the following

REPORT:

Mr. PRESIDENT—

The committee on swamp and overflowed lands, to which was referred Senate bill No. 63, entitled "an act for the relief of the locating agents in the several counties in this state," have had the same under consideration, and have instructed me to report the same back, and recommend its rejection.

ROSSON, *Chairman.*

Said report was received.

Mr. McAlexander asked time to present a minority report; which was granted, and the bill ordered to take its place on the calendar.

Mr. Fagan, from the committee on enrollments, made the following

REPORT:

Mr. PRESIDENT—

I have the honor to report that, on this the 20th December, 1860, I handed to the governor, for his consideration, the following acts:

“An act to incorporate the Des Arc and Dardanelle railroad company.”

“An act to authorize the clerk of the circuit court of Independence county to transcribe certain records in his office.”

“An act for the relief of the citizens near Shady Grove church, in Dallas county, Arkansas;” and

“An act to amend an act to incorporate the Ouachita Conference Female College.”

FAGAN, *Chairman.*

Said report was read and received.

Mr. Watkins, from the committee on ways and means, made the following

REPORT:

Mr. PRESIDENT—

The committee on ways and means, to whom was referred the petition of sundry citizens of the county of Perry—the prayer of said petitioners is the passage of a law “to abolish all law or laws authorizing the licensing of houses to retail ardent spirits within the county of Perry, and State of Arkansas.” Your committee have had the same under consideration, and find from the census of 1860, that, in the county of Perry, there are two thousand, one hundred and sixty-three white souls; and we further find that there are but thirty-eight of this number signed said petition, both male and female. Your committee is of the opinion, waiving all constitutional objections to such acts of legislation, that the great evil desired to be remedied by the honest prayer of the petitioners, cannot, in our opinion, be accomplished by legislative enactments; in proof of this position, we find that the famous Maine liquor law, passed by the State of Maine, was inadequate to accomplish that end; consequently the same law has been repealed, and that too by the recommendation of its original mover.

From the facts above stated, but with due regard to the petitioners, and a high appreciation of the motive that actuated

them, and more especially the females, and also awarding to them the constitutional right of petition; your committee beg to report the same back to the Senate, and recommend the rejection of the prayer of said petitioners.

WATKINS, *Chairman*.

Said report was read; and

On motion of Mr. Watkins, adopted, and the prayer of the petitioners thereby rejected.

Mr. Lemoyne, from a select committee, made the following

REPORT.

Mr. PRESIDENT—

The select committee, to whom was referred Senate bill No. 24, to “establish a lunatic asylum at the city of Little Rock,” have had the same under consideration, and directed me to report the same to the Senate, recommending its passage.

LEMOYNE, *Chairman*.

Said report was read and received; and,

On motion of Mr. Fagan, the bill was ordered to take its place on the calender.

Mr. Mitchell, from the committee on memorials, made the following

REPORT :

Mr. PRESIDENT—

The committee on memorials, to whom was referred Senate bill No. 77, to be entitled “an act to incorporate the town of Searcy, in White county,” have had the same under consideration, and have instructed me to report the same back to the Senate, and recommend its passage.

MITCHELL, *Chairman*.

Said report was read and received; and,

On motion of Mr. McCreery, the bill was read the third time and passed.

On motion of Mr. Miller, House bill No. 193, to be entitled “an act for the relief of Crawford, Sebastian, Jackson, Ouachita, Perry, Madison, Poinsett and Polk counties,” was taken up and read the first time.

On motion of Mr. Miller, the rules were suspended, and the bill read the second time by title.

On motion of Mr. Watkins, the bill was amended by inserting Newton county, wherever necessary to make it subject to the provisions of the same.

On motion of Mr. Davies the bill was read the third time by title and passed.

On motion of Mr. Belser, House bill No. 70, to be entitled "an act to amend chapter 100 of the Digest, under the head of 'Landlord and Tenant,'" was taken up, and, on motion of Mr. McColloch, read the third time and passed.

On motion of Mr. Davies, House bill No. 178, to be entitled "an act to incorporate the Iron Mountain and Helena railroad company," was taken up and read the first time by title.

On motion of Mr. Rosson, the Senate took a recess of five minutes.

11 O'CLOCK, A. M.

Senate met.

The following message was received from the House of Representatives by their clerk:

Mr. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have passed House bill No. 36, "providing for the election of a tax assessor for Phillips county," over the governor's veto.

Said bill is herewith transmitted for the action of your honorable body, which is respectfully asked.

The House of Representatives are now ready to receive your honorable body in their hall, for the purpose of going into the election of United States Senator.

S. M. SCOTT, *Clerk of*
House of Representatives.

On motion of Mr. Pennington, the Senate repaired to the hall of the House of Representatives, and being there seated,

the roll of the Senate was called by order of the President, and the following senators answered to their names:

Messrs. Askew, Belser, Carrigan, Clark, Craighead, Davies, Douglas, Fagan, Gray, Lemoyne, McAlexander, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—24.

The roll of the House was then called by order of the Speaker, and it appearing that there was a quorum of both houses present, the President stated the object of the convention, and announced that nominations for United States Senator, to serve from the 4th day of March, 1861, for six years, was in order.

Mr. Brown, of the House, nominated Charles B. Mitchell.

Mr. Edmondson, of the House, nominated Samuel H. Hempstead.

Mr. Morton, of the House, nominated Napoleon B. Burrow.

Mr. Craighead nominated George C. Watkins.

No other nominations were made.

Mr. Miller presented the following letter, which was read:

LITTLE ROCK, ARKS., *December 20, 1860.*

HON. JESSE MILLER, *Senator*

in Arkansas Legislature:

DEAR SIR—When, at the opening of the present session of the General Assembly, I consented to become a candidate for U. S. Senator, the presidential election had not taken place; since that election I have constantly looked for secession and disunion. You will remember, in my short address to the members of the two houses, early in November, I stated that such results were as certain as the decrees of Fate; to this I added, that if South Carolina and the South moved in the matter, I thought we should go also. The first of these predictions has now come to pass; doubtless South Carolina has seceded, and thus the Union is dissolved. Other southern states will quickly follow, and all the slave states should go as soon as their lame and crippled conditions will allow.

The United States Senate, of which I sought to become a member, is no longer in existence. My friends, therefore, must excuse me for declining a nomination or an election.

Some, indeed, advise me that I should now, more than ever, desire the place in order to protect our state, by rejecting the obnoxious domination of Lincoln.

To these I reply, before the 4th of March we shall have far better provisions made for the defence of southern rights and

southern honor, than can be offered by the negative power indicated—we shall have a southern confederacy, and if Arkansas fails to move in time to become the head of such confederacy, she must afterwards seek permission to become the tail.

South Carolina has moved, and my sympathy is with her. The *tumuli* upon a thousand hills throughout the South mark the last resting places of my ancestral and collateral kindred. Should I fail in thought or deed, ever to strike for these, they would become so many altars upon which honor would offer up constant prayers to a just and righteous God for my everlasting infamy.

The government, at Washington, after the 4th of March, will be a foreign and unfriendly government, whose existence will continue to proclaim our degradation so long as we remain subject to its dominions. That degradation being made a condition precedent to Mr. Lincoln's inauguration, I cannot, therefore consent to become a part of that government; I would prefer to become a wanderer like Kossuth, or a soldier in the ranks led by some American Garibaldi.

Should my name be placed in nomination, I therefore ask you, as my immediate representative, friend and neighbor, to offer my kindest regard to those gentlemen who supported me in the caucus, as well as to those, not having been in caucus, nevertheless designed to honor me with their support in convention of the two houses, and assure them of my true sentiments, as hereinbefore expressed.

Respectfully, your friend

and obedient servant,

N. B. BURROW.

Mr. Morton then, by request of Mr. Miller, withdrew the name of N. B. Burrow.

Mr. Askew moved that the convention adjourn *sine die*, and advocated his motion.

The yeas and nays were demanded on said motion, and the demand sustained.

Mr. Garland, of the House, arose to a point of order, to-wit: that the convention could not adjourn *sine die* after determining to go into an election, and convening for that purpose.

The point of order was discussed, but Mr. Askew, on leave, modified his motion so as to adjourn until the second Monday in January next.

The rolls were then called on the motion as modified, and the result was, 23 in the affirmative—9 in the Senate and 14 in the

House, and 72 in the negative—15 in the Senate and 57 in the House.

Those senators voting for the adjournment, were

Messrs. Askew, Belser, Craighead, Davies, McAlexander, McCreery, Mecklin, Miller, and Ward—9.

Those voting against the adjournment, were

Messrs. Carrigan, Clark, Douglas, Fagan, Gray, Lemoyne, McColloch, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Watkins and Mr. President—15.

So the motion to adjourn until the second Monday in January next, was lost.

FIRST BALLOT.

The convention then proceeded to ballot on the nominations for United States Senator, and the rolls were called, when it appeared that on joint ballot Charles B. Mitchel received 27 votes—4 in the Senate and 23 in the House.

Samuel H. Hempstead 33 votes—9 in the Senate and 24 in the House.

George C. Watkins 23 votes—7 in the Senate and 16 in the House.

George W. Lemoyne 4 votes—2 in the Senate and 2 in the House.

Albert Pike 1 vote in the Senate.

N. B. Burrow 4 votes—1 in the Senate and 3 in the House.

R. W. Johnson 2 votes in the House.

J. S. Roane 1 vote in the House.

Those senators voting for Charles B. Mitchel, were

Messrs. Carrigan, McColloch, Miller and Mr. President—4.

Those voting for Samuel H. Hempstead, were

Messrs. Clark, Douglas, Fagan, Lemoyne, McAlexander, Mitchell, Rosson, Trimble and Watkins —9.

Those voting for George C. Watkins, were

Messrs. Craighead, Davies, Gray, Oates, Pennington, Terry and Ward—7.

Messrs. Askew and Mecklin voted for George W. Lemoyne—2.

Mr. Belser voted for Albert Pike—1.

Mr. McCreery voted for N. B. Burrow—1.

Neither of the candidates voted for having received a majority of all the votes cast, there was no election, and the convention proceeded to ballot the second time.

SECOND BALLOT.

The rolls were then called, when it appeared that the following was the result:

C. B. Mitchel 31 votes—4 in the Senate and 27 in the House.

Samuel H. Hempstead 34 votes—9 in the Senate and 25 in the House.

George C. Watkins 22 votes—8 in the Senate and 14 in the House.

George W. Lemoyne 2 votes—1 in the Senate and 1 in the House.

N. B. Burrow 2 votes—1 in the Senate and 1 in the House.

Albert Pike 1 vote in the Senate.

Robert W. Johnson 2 votes in the House.

John S. Roane 1 vote in the House.

Those senators voting for Charles B. Mitchel, were

Messrs. Carrigan, McColloch, Miller and Mr. President—4.

Those voting for Samuel H. Hempstead, were

Messrs. Clark, Douglas, Fagan, Lemoyne, McAlexander, Mitchell, Rosson, Trimble and Watkins—9.

Those voting for George C. Watkins, were

Messrs. Craighead, Davies, Gray, Mecklin, Oates, Pennington, Terry and Ward—8.

Mr. Askew voted for George W. Lemoyne—1.

Mr. McCreery voted for N. B. Burrow—1.

Mr. Belser voted for Albert Pike—1.

Neither of the candidates voted for having received a majority of all the votes cast, there was no election, and the convention proceeded to the third ballot, which resulted as follows:

THIRD BALLOT.

Charles B. Mitchel 33 votes—5 in the Senate and 28 in the House.

Samuel H. Hempstead 33 votes—8 in the Senate and 25 in the House.

George C. Watkins 22 votes—9 in the Senate and 13 in the House.

George W. Lemoyne 2 votes—1 in the Senate and 1 in the House.

N. B. Burrow 2 votes—1 in the Senate and 1 in the House.

Robert W. Johnson 2 votes in the House.

John S. Roane 1 vote in the House.

Those senators voting for Charles B. Mitchel, were Messrs. Belser, Carrigan, Miller and Mr. President—5.

Those voting for Samuel H. Hempstead, were Messrs. Clark, Douglas, Fagan, Lemoyne, Mitchell, Rosson, Trimble and Watkins—8.

Those voting for George C. Watkins, were Messrs. Craighead, Davies, Gray, McAlexander, Mecklin, Oates, Pennington, Terry, and Ward—9.

Mr. Askew voted for George W. Lemoyne—1.

Mr. McCreery voted for N. B. Burrow—1.

Neither of the candidates voted for having received a majority of all the votes cast, there was no election, and the convention proceeded to ballot the fourth time with the following result:

FOURTH BALLOT.

Charles B. Mitchel 35 votes—6 in the Senate and 29 in the House.

Samuel H. Hempstead 32 votes—8 in the Senate and 24 in the House.

George C. Watkins 22 votes—8 in the Senate and 14 in the House.

George W. Lemoyne 1 vote in the Senate.

N. B. Burrow 1 vote in the Senate.

Albert Pike 1 vote in the House.

John S. Roane 1 vote in the House.

John H. Askew 1 vote in the House.

Robert W. Johnson 1 vote in the House.

Those senators voting for Charles B. Mitchel, were

Messrs. Belser, Carrigan, McColloch, Miller, Ward and Mr. President—6.

Those voting for Samuel H. Hempstead, were
Messrs. Clark, Douglas, Fagan, Lemoyne, Mitchell, Rossor,
Trimble and Watkins—8.

Those voting for George C. Watkins, were
Messrs. Craighead, Davies, Gray, McAlexander, Mecklin,
Oates, Pennington and Terry—8.

Mr. Askew voted for George W. Lemoyne—1.

Mr. McCreery voted for N. B. Burrow—1.

Neither of the candidates voted for having received a majority of all the votes cast, there was no election, and the convention proceeded to ballot the fifth time with the following result:

FIFTH BALLOT.

The rolls were called with the following result:

Charles B. Mitchel 37 votes—7 in the Senate and 30 in the House.

Samuel H. Hempstead 31 votes—8 in the Senate and 23 in the House.

George C. Watkins 21 votes—7 in the Senate and 14 in the House.

George W. Lemoyne 2 votes—1 in the Senate and 1 in the House.

N. B. Burrow 1 vote in the Senate.

Albert Pike 1 vote in the House.

R. W. Johnson 1 vote in the House.

John S. Roane 1 vote in the House.

Those senators voting for Charles B. Mitchel, were
Messrs. Belser, Carrigan, McColloch, Miller, Oates, Ward and Mr. President—7.

Those voting for Samuel H. Hempstead, were
Messrs. Clark, Douglas, Fagan, Lemoyne, Mitchell, Rosson,
Trimble and Watkins—8.

Those voting for George C. Watkins, were
Messrs. Craighead, Davies, Gray, McAlexander, Mecklin,
Pennington and Terry—7.

Mr. Askew voted for George W. Lemoyne—1.

Mr. McCreery voted for N. B. Burrow—1..

Neither of the candidates voted for having received a majority of all the votes cast, there was no election, and the convention proceeded to ballot the sixth time.

SIXTH BALLOT.

The rolls were called with the following result:

Charles B. Mitchel 39 votes—7 in the Senate and 32 in the House.

Samuel H. Hempstead 28 votes—8 in the Senate and 20 in the House.

George C. Watkins 19 votes—7 in the Senate and 12 in the House.

George W. Lemoyne 2 votes—1 in the Senate and 1 in the House.

N. B. Burrow 1 vote in the Senate.

Albert Pike 1 vote in the House.

John S. Roane 1 vote in the House.

Those senators voting for Charles B. Mitchel, were Messrs. Belser, Carrigan, McColloch, Miller, Oates, Ward and Mr. President—7.

Those voting for Samuel H. Hempstead, were Messrs. Clark, Douglas, Fagan, Lemoyne, Mitchell, Rosson, Trimble and Watkins—8.

Those voting for George C. Watkins, were Messrs. Craighead, Davies, Gray, McAlexander, Mecklin, Pennington and Terry—7.

Mr. Askew voted for Mr. Lemoyne—1.

Mr. McCreery voted for N. B. Burrow—1..

Neither of the candidates voted for having received a majority of all the votes cast, there was no election, and the convention proceeded to ballot the seventh time.

SEVENTH BALLOT.

The rolls were called resulting as follows:

Charles B. Mitchel 41 votes—6 in the Senate and 35 in the House.

Samuel H. Hempstead 28 votes—6 in the Senate and 22 in the House.

George C. Watkins 19 votes—7 in the Senate and 12 in the House.

George W. Lemoyne 1 vote in the Senate.

T. B. Craighead 1 vote in the Senate.

Alfred M. Wilson 2 votes in the Senate.

Albert Pike 1 vote in the House.

J. S. Roane 1 vote in the House.

N. B. Burrow 1 vote in the Senate.

Those senators voting for Charles B. Mitchel, were Messrs. Carrigan, McColloch, Miller, Oates, Ward and Mr. President—6.

Those voting for Samuel H. Hempstead, were Messrs. Douglas, Fagan, Lemoyne, Mitchell, Rosson and Trimble—6.

Those voting for George C. Watkins, were Messrs. Craighead, Davies, Gray, McAlexander, Mecklin, Pennington and Terry—7.

Mr. Askew voted for George W. Lemoyne—1.

Mr. Belser voted for T. B. Craighead—1.

Messrs. Clark and Watkins voted for Alfred M. Wilson—2.

Mr. McCreery voted for N. B. Burrow—1.

Neither of the candidates having received a majority of all the votes cast, there was no election, and the convention proceeded to the

EIGHTH BALLOT.

The rolls were called with the following result:

Charles B. Mitchel 44 votes—8 in the Senate and 36 in the House.

Samuel H. Hempstead 28 votes—6 in the Senate and 22 in the House.

George C. Watkins 16 votes—7 in the Senate and 9 in the House.

George W. Lemoyne 1 vote in the Senate.

Alfred M. Wilson 1 vote in the Senate.

N. B. Burrow 1 vote in the Senate.

Albert Pike 1 vote in the House.

John S. Roane 1 vote in the House.

Those senators voting for Charles B. Mitchel, were
Messrs. Belser, Carrigan, Clark, McColloch, Miller, Oates,
Ward and Mr. President—8.

Those voting for Samuel H. Hempstead, were
Messrs. Douglas, Fagan, Lemoyne, Mitchell, Rosson and
Trimble—6.

Those voting for George C. Watkins, were
Messrs. Craighead, Davies, Gray, McAlexander, Mecklin,
Pennington and Terry—7.

Mr. Askew voted for Mr. Lemoyne—1.

Mr. Watkins voted for Alfred M. Wilson—1.

Mr. McCreery voted for N. B. Burrow—1.

Neither of the candidates having received a majority of all
the votes cast there was no election, and the convention pro-
ceeded to the

NINTH BALLOT.

The rolls were called with the following result:

Charles B. Mitchel 52 votes—12 in the Senate and 40 in the
House.

Samuel H. Hempstead 26 votes—7 in the Senate and 19 in
the House.

George C. Watkins 8 votes—4 in the Senate and 4 in the
House.

N. B. Burrow 1 vote in the Senate.

Robert W. Johnson 2 votes in the House.

John S. Roane 1 vote in the House.

John T. Trigg one vote in the House.

H. F. Thomason 1 vote in the House.

S. M. Scott 1 vote in the House.

C. F. Hemmingway 1 vote in the House.

Those senators voting for Charles B. Mitchel, were
Messrs. Askew, Belser, Carrigan, Clark, Craighead, Davies,

McAlexander, McColloch, Miller, Oates, Ward, and Mr. President—12.

Those voting for Samuel H. Hempstead, were
Messrs. Douglas, Fagan, Lemoyne, Mecklin, Mitchell, Rosson
and Trimble—7.

Those voting for George C. Watkins, were
Messrs. Gray, Pennington, Terry and Watkins—4.

Mr. McCreery voted for N. B. Burrow—1.

Whereupon the President announced that Charles B. Mitchel having received a majority of all the votes cast, was duly and constitutionally elected a Senator of the United States from the State of Arkansas, for the term of six years, commencing with the 4th day of March, A. D., 1861.

The object of the convention having been accomplished, the Senate returned to their chamber.

Mr. McColloch asked and obtained leave of absence for ten days.

On motion of Mr. Watkins, the Senate adjourned until 9½ o'clock, to-morrow morning.

THOS. FLETCHER,
President.

FRIDAY, *December 21st*, 1860.

The Senate met pursuant to adjournment.

Roll called, and the following Senators answered to their names:

Messrs. Askew, Belser, Carrigan, Clark, Craighead, Davies, Douglas, Fagan, Gray, Lemoyne, McAlexander, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President.—24.

The journal of yesterday, except the ballottings for U. S. Senator, (the reading of which was, on motion of Mr. Oates, dispensed with,) was read, approved and signed.

Mr. Oates moved to take up the bill vetoed by the governor, (House bill No. 36,) providing for the election of a tax collector for Phillips county, to make it the special order for 10 o'clock to-morrow morning, which motion prevailed on a division--10 in the affirmative and 9 in the negative.

On motion of Mr. McColloch, the joint resolutions of the House responding to the communication received from the governor of the State of Mississippi, by the Hon. George R. Falls, her commissioner, were taken up, and being read, were concurred in by the Senate.

On motion of Mr. Clark, House bill No. 165, to be entitled an act to establish nine judicial circuits in this state, was taken up and read the first time.

On motion of Mr. Oates, the rules were suspended, and the bill read the second time by title.

Mr. Oates offered the following amendment to the bill, to-wit: "Strike out Poinsett in the first judicial circuit, and add it to the third judicial circuit."

On motion of Mr. Clark, the bill with the amendment, was referred to the committee on judiciary.

Mr. Clark presented the following memorial of the board of directors of the Memphis and Little Rock railroad, to-wit:

The undersigned board of directors of the Memphis and Little Rock railroad company, your memorialists would respectfully represent and show unto your honorable body, that they have graded, bridged and furnished the cross ties necessary for track laying upon nearly the entire extent of the division of said road between White river and Little Rock, known as the 3d division of said road. That in July last, said railroad company, through their president, closed a contract with Messrs. Geo. Peabody & Co., of London, for eight thousand tons of iron rails, at the extreme low price of thirty-seven dollars and fifty cents per ton, of 2240 lbs., upon a credit of eighteen months, with 7 per cent. interest added, to be delivered in New Orleans. This is an amount sufficient to lay the entire road from its present terminus to Little Rock. That in order to make this contract, your memorialists had to procure and obtain the

individual personal guarantee of R. C. Brinkley, Sam. Tate, M. J. Wicks, W. B. Greenlaw & Co., and Jno. Robertson of Memphis, and Wm. Dickson of Alabama, solvent and responsible gentlemen for the payment of the amount due for said iron at the expiration of the credit given. That the liability thus assumed amounts to three hundred and thirty-one thousand, five hundred dollars. After making said contract with the said Geo. Peabody & Co., your memorialists made several contracts for the delivery of said iron on the line of the road, one with Capt. James M. Danley of Little Rock, for the delivery of not less than one thousand tons on the bank of the Arkansas river, opposite Little Rock; one with Capt. John D. Adams of Little Rock, for the delivery of twenty-five hundred tons at Duvall's Bluff, on White river, to be paid in bonds of the city of Little Rock, and county of Pulaski, issued to said railroad—the cost of said transportation being about forty thousand dollars. That owing to the crisis in money affairs, your memorialists are unable to raise money from any source or by any securities under their control, and cannot sell or dispose of the remnant of bonds of the city of Little Rock and Pulaski county in their possession, nor can they now raise money or dispose of their own bonds, and unless they can by some speedy means procure at least one hundred thousand dollars with which to pay the duty on said iron and lay down the track on the part of the road prepared for its reception, they will have to yield the iron to their said guarantors to indemnify them, for it was only upon the idea of security upon the road in running order, that they were induced to give said guarantee, and without which your memorialists cannot pay the duty and lay the track. A portion of the iron is now lying in the custom house at New Orleans, and if they cannot pay the duty, will have to yield it up to their securities, who will be enabled to save themselves by a re-sale of the iron.

The effect of this abandonment of the enterprise can scarcely be estimated: the credit of the road and with it the credit of all such enterprises in Arkansas is gone, and we are proud to say that up to this time no new road in the United States or any where else has a better credit abroad; and if successful, will reflect on other similar enterprises in the State. And the cross ties now on the road ready for track laying must be lost and rot in their heaps or be burned, and the embankments and grading washed down or grow up in under brush, and the whole work as far as it has progressed stand as a monument of decay and retrogression. *The work must stop without aid*, and when it stops the expenditure of near half a million dollars upon it is lost, and worse, for the credit of the railroad is gone, and cannot get iron again at all. We will obligate ourselves in a penalty of double the sum with a clear forfeit of fifty thousand

dollars, and guarantee it, that if the state will grant us either as a loan or by stock subscription, at least one hundred thousand dollars, we will complete the division to White river within six months, which will insure the completion of the entire enterprise. And the necessity of this road in peace or war, in the Union or out of it, need not be argued. If we stay in the Union we need it, if we go out, we need it, and above all if we go out we need to keep up the credit of state enterprise abroad. Therefore they pray that the sum of at least one hundred thousand dollars be granted to them out of the five per cent. fund to be subscribed as state stock or as a loan, and as in duty bound they will ever pray, etc.

JNO. ROBERTSON, Prest.
 SAM. W. WILLIAMS,
 H. B. EDMONDSON,
 R. C. BRINKLEY,
 D. H. TOWNSEND.

The foregoing memorial was read; and

On motion of Mr. Clark, referred to the committee on internal improvements.

Reports from standing committees were in order.

Reports from select committees were in order.

Mr. Oates, from a select committee, made the following

REPORT:

Mr. PRESIDENT—

The select committee, to which was referred the "joint resolution of the Senate concerning the election of four commissioners to meet commissioners of the other slaveholding states," have considered the same, and have instructed me to report the same back to the Senate with the following amendments, and as amended to recommend their passage.

Amendment—1st. Strike out "fourth" in the next to last line of first resolution, and insert "second."

Amendment—2d. Strike out "January" and insert "February," in the last line of 1st resolution.

Amendment—3d. Strike out after the word houses, in the 4th line of 2d resolution, the words of "members of its own body to be."

OATES, *Chairman*.

Said report was received, and the amendments were severally adopted.

Mr. Terry offered to amend by an additional resolution, to-wit:

Resolved; That the commissioners elected under these resolutions shall not be required to go to Nashville, unless a majority of the southern states shall adopt this plan of adjusting present difficulties, and shall send commissioners to Nashville to act in conjunction with the commissioners elected under this resolution.

Which was read, when Mr. Clark offered a bill to be entitled an act to provide for the representation of the State of Arkansas, in the proposed national convention, or convention of the southern states, should they, or either of them be held, as a substitute for the resolutions under consideration.

Said substitute bill was read the first time.

Mr. Watkins was called to the chair

On motion of Mr. Oates, the substitute bill, offered by Mr. Clark, was laid upon the table.

The amendment offered by Mr. Terry, was then, on his motion, adopted.

On motion of Mr. Oates the resolutions were read, as amended, and the question being on their adoption, Mr. Oates called for the yeas and nays thereon, which call was sustained and made with the following result:

YEAS—Messrs. Askew, Belser, Carrigan, Clark, Craighead, Davies, Fagan, Gray, Lemoyne, McAlexander, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, and Watkins—22.

NAYS—Mr. Douglas and Mr. President—2.

So the resolutions were adopted.

Mr. McAlexander, from the committee on swamp and overflowed lands, made the following

REPORT:

Mr. PRESIDENT—

The undersigned, a minority of the committee on swamp and overflowed land, to whom was referred the bill for the relief of the swamp land selecting agents of certain counties in this state would respectfully and earnestly recommend the passage of said bill, with the following amendments:

1st. Amend the title so as to read thus:

"An act for the relief of the locating agents who have selected and reported swamp and overflowed lands in this state, by appointment from the governor, under act of 30th December, 1856."

2d. Strike out the words "the above counties," in the 3d line of the preamble, and insert "this state."

3d. Insert after the word "respectively," in the 1st section, "at the rates now fixed by law."

4th. Add at the end of section 1, the words "of the district in which the selections were made, in specie, or in swamp land scrip."

The minority would refer briefly to some of the just and equitable reasons for the passage of this bill. It is true that the persons who have performed the services, for which they now ask to be remunerated, knew that they would not be paid for any of their selections that would not be confirmed, but the knowledge of this fact, doubtless, prompted them to make no selections but such as were really swamp and overflowed. Again, it cannot be supposed that they would have undertaken the business with the expectation of having to wait for years before they would be remunerated for their labor, and money expended in prosecuting the work. The legislature that passed the law certainly did not intend they should be compelled to wait so long; and the minority contend that a defect in the law so palpably unjust should be remedied. If it be true that the "laborer is worthy of his hire," these citizens of the state who have served her in good faith and under the strictest oath, should be paid for their labor. Other officers are paid for their services as they render them, and that too in a much greater proportion to the amount of labor performed. The discrimination is unjust and was not made even when the selecting agents were required to make oath in a milder form, to their selections. The minority cannot see that the bill, which is retrospective in its provisions, would harm or defraud the state in the least, if passed, while such a law is demanded for the protection of a number of her best and most faithful citizens.

McALEXANDER,
J. F. DAVIES.

Which report was received.

On motion of Mr. McAlexander, the bill, with the minority report, was recommitted to the committee on swamp and overflowed lands.

Mr. McColloch offered the following joint

RESOLUTION:

WHEREAS, important questions connected with the interests

of the state, have arisen, since the assembling of the General Assembly. And whereas, many of the members desire to return to their constituents in reference thereto, and to give further time in reference to the state of the Union. Therefore,

Be it resolved by the General Assembly of the State of Arkansas, That this General Assembly adjourn on Saturday, 22d inst., to meet again on the first Monday in February, 1861.

Be it further resolved, That the members of the General Assembly shall not be entitled to *per diem* pay during the recess.

Said resolutions were read the first time.

On motion of Mr. McColloch, the rules were suspended, and the resolution read the second time.

Mr. Lemoyne offered to amend by inserting the words "nor mileage," after the words "per diem pay."

Mr. McColloch accepted said amendment.

Mr. Carrigan moved to strike out the words "nor mileage."

Mr. Davies moved to amend the amendment by saying "that this General Assembly adjourn *sine die* on Saturday, the 22d day of December, 1860."

Mr. Clark moved to lay the resolutions and amendments on the table, and called for the yeas and nays thereon, which call was sustained and ordered, with the following result:

YEAS—Messrs. Askew, Clark, Davies, Douglas, Fagan, Gray, Lemoyne, McAlexander, McCreery, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—19.

NAYS—Messrs. Belser, Carrigan, Craighead, McColloch and Mecklin—5.

So the resolutions and amendments were laid on the table.

Mr. Askew then offered the following

RESOLUTION:

Resolved, The House concurring, that this General Assembly take a recess from and after next Monday, until the first Monday in February, 1861; *Provided,* That during the recess no member of the General Assembly shall be entitled to any per diem pay.

Which resolution was read.

Mr. Fagan moved to suspend the rules for the second reading

of the resolution; which motion prevailed, and the resolution was read the second time.

Mr. Terry moved to lay the resolution on the table; on which motion Mr. Lemoyne called for the yeas and nays, which being sustained, was made with the following result:

YEAS—Messrs. Clark, Davies, Douglas, Fagan, Gray, McCreery, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—16.

NAYS—Messrs. Askew, Belser, Carrigan, Craighead, Lemoyne, McAlexander, McColloch and Mecklin—8.

So the resolution was laid upon the table.

The hour of 10 o'clock having arrived, Mr. McCreery moved to take up special order Senate bill No. 86, and reports concerning the public printing; which motion was lost, and the order postponed for the present.

Mr. Terry, from a select committee, made the following

REPORT:

Mr. PRESIDENT—

The special committee, to whom was referred substitute House bill No. 21, to be entitled "an act to provide for the election of a tax collector and assessor for the counties of Poinsett and Independence," have had the same under consideration, and have instructed me to report the same back to the Senate, with sundry amendments, and as amended, to recommend its passage.

Amendment 1st. After the word "Independence," in the 4th line of the 1st section, add the words "and Crittenden," and by striking out the word "and," between the words "Independence and Poinsett."

Amendment 2d. Add after the figures "1862," in the fifth line of the first section, the words "and every two years thereafter."

Amendment 3d. After the word "state," in the last line of the 2d section, add the words "and shall receive for his services as said assessor and collector, the same per centage on all taxes assessed and collected as is now paid the sheriff of said counties of Poinsett, Independence and Crittenden."

Amendment 4th. In lieu of the amendment offered in the Senate, add the following section:

SEC. 5. *Be it further enacted*, That there shall be elected on the first Monday of August, A. D., 1862, and every two years thereafter, for the county of Pulaski, an assessor and collector

of taxes, who shall qualify and give bond with security, as is now required by law, whose duty it shall be to assess and collect the taxes as is now done by the sheriff of said county, and for all his services as assessor and collector, as aforesaid, he shall be paid out of the taxes collected the sum of fifteen hundred dollars per annum, and no more.

F. A. TERRY, *Chairman*.

Said report was received, and on motion of Mr. Oates, the amendments proposed were severally adopted.

Mr. President resumed the chair.

On motion of Mr. Trimble, the bill, as amended, was read the third time and passed.

On motion of Mr. Clark, House bill No. 196, to be entitled "an act to invest the proceeds of the sales of all the swamp and overflowed lands, that have been, or may hereafter be made, in the Clarksville swamp land district as stock in the Little Rock and Fort Smith branch of the Cairo and Fulton railroad, and in the North-western border railroad," was taken up and read the first time, by title.

On his further motion, the rules were suspended and the bill read the second time by title.

Mr. Rosson moved to lay the bill on the table until the 4th of July next; which motion was lost.

On motion of Mr. Clark, the bill was referred to the committee on internal improvements.

The special order of the day, Senate bill No. 86, to be entitled "an act to amend the 137th chapter of Gould's Digest, and to provide for letting out the public printing to the lowest bidder," and the majority and minority reports thereon, were taken up and read.

Mr. Oates moved to adopt the majority report, on which motion Mr. McCreery demanded the yeas and nays; which was sustained, and the roll called with the following result:

YEAS—Messrs. Askew, Carrigan, Craighead, McAlexander, Mecklin, Oates, Terry, Ward, Watkins and Mr. President—10.

NAYS—Messrs. Belser, Clark, Davies, Douglas, Fagan, Gray, Lemoyne, McColloch, McCreery, Miller, Mitchell, Pennington, Rosson and Trimble—14.

So the motion was lost.

Mr. McCreery moved to adopt the minority report.

The President stated that the Senate had agreed to go into committee of the whole to consider of the bill, and put the question, when the Senate refused to resolve itself into committee of the whole.

On motion of Mr. Terry, the Senate adjourned until 9½ o'clock to-morrow morning.

THOS. FLETCHER,

President.

SATURDAY, *December 22*, 1860.

Senate met pursuant to adjournment.

Roll called.

P R E S E N T :

Messrs. Askew, Carrigan, Clark, Craighead, Davies, Douglas, Fagan, Gray, Lemoyne, McAlexander, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—22.

On motion of Mr. Clark, leave of absence was granted Mr. Belser indefinitely, and to Mr. McColloch for ten days.

The journal of yesterday was read, approved and signed.

Petitions and memorials were in order.

Mr. Lemoyne presented the remonstrance of 74 citizens of Perry county against the granting of a charter to Elizabeth Miller, or any other persons, to erect a grist and saw mill and mill dam on the south-west quarter of north-east quarter and south-east quarter of north-west quarter of section 19, township 5 north, range 16 west, in said county, representing that such would cause to overflow hundreds of acres of lands belonging to other individuals, and to the state, amounting to between

two and three thousand acres, and would also affect the health of citizens living in the adjacent county.

Said remonstrance was read, and on motion of Mr. Lemoyne, referred to the committee on memorials.

Mr. Trimble, for Mr. Belser, presented the petition of 19 citizens of the town of Troy and vicinity, in the county of Drew, for the passage of an act to prohibit the sale of vinous and spirituous liquors in any quantity, within one mile, any way from the Masonic Hall and Baptist Church building, in said town, except for mechanical, medical or sacramental purposes.

Which petition was read, and on motion of Mr. Trimble, referred to the committee on judiciary.

Mr. Fagan presented the petition of a large number of citizens of this state, recommending to the favorable consideration of the General Assembly, the Arkansas Institute for the Blind at Arkadelphia, as an institution eminently worthy of the fostering care of the state.

Said petition was read, and on motion of Mr. Fagan, referred to the committee on education.

No. 96. Mr. Ward, on leave, introduced Senate bill, to be entitled "an act to permit certain free negroes, in Pope county, to choose masters."

Read the first time.

On motion of Mr. Ward, the rules were suspended, the bill read the second time by title, and referred to the committee on judiciary.

No. 97. Mr. Pennington, on leave, introduced Senate bill, to be entitled "an act to incorporate the Factory fire company, of Royston, in Pike county, Arkansas, and to regulate the same."

Read the first time.

On motion of Mr. Pennington, the rules were suspended, the bill read the second time by title, and referred to the committee on judiciary.

On motion of Mr. Terry, House bill No. 188, to be entitled "an act to incorporate the town of Austin, in the county of Prairie;" was taken up and read the first time.

On motion of Mr. Terry, the rules were twice suspended, the bill read the second and third times by title, and passed.

Message from the House of Representatives, by the clerk:

MR. PRESIDENT—

I am instructed to inform your honorable body, that the House of Representatives have passed the following House bills, to-wit:

No. 198, to be entitled "an act to amend an act entitled an act to authorize the county court of Arkansas county to levy a road tax, and for other purposes."

No. 164, to be entitled "an act to provide for holding a state convention."

Said two House bills are herewith transmitted for the assent of your honorable body, which is respectfully asked.

The House of Representatives have concurred in Senate amendment to House bill No. 193, entitled "an act for the relief of Crawford, Sebastian, Jackson, Ouachita, Perry, Madison, Poinsett and Polk counties," said amendment being to include in the bill the county of Newton.

The House of Representatives have assented to Senate bill No. 75, entitled "an act to establish separate courts in the county of Arkansas."

Said bill is herewith returned.

S. M. SCOTT, *Clerk of
House of Representatives.*

No. 98. Mr. Lemoyne, on leave, introduced Senate bill, to be entitled "an act to aid in the construction of the Memphis and Little Rock railroad."

Read the first time.

On motion of Mr. Lemoyne, the rules were suspended, the bill read the second time by title; and,

On motion of Mr. Watkins, referred to the committee on internal improvements.

The special order of the day, vetoed House bill, entitled "an act to provide for the election of a tax collector for Phillips county," was taken up.

Mr. McCreery moved to suspend the special order, to introduce a bill; which motion was lost.

Mr. Oates presented the following certified copy of the governor's veto of said bill, to-wit:

VETO.

The bill providing for an election of tax collector for Phillips county, having passed both houses of the General Assembly, and being presented to me for approval, is respectfully returned to your honorable body with these objections:

Its provisions are, that "the qualified voters of the county of Phillips shall, on the 7th of January, 1861, elect a tax collector for said county."

On the first Monday of August last, by the general law of the land, B. W. Green, it appears, was, by a majority of the people of that county elected to fill that office for the ensuing two years. Being thus chosen and elected, he has met all the requirements of existing laws, by giving bond with security for the faithful discharge of his duties. That the law making power of the government has the vested legal authority to oust the incumbent, and confer the benefit and privileges of his office upon another is probably true, but by no means free from doubt and uncertainty. Governments, though potential, are nevertheless presumed it is said to exercise their powers in moderation and justice to all the world and especially so towards their own loyal citizens, and so far has that principle obtained in the British monarchies, that a king is presumed to do no wrong to the humblest of his subjects.

Again, the act passed is special legislation, without apparent necessity, operating upon a particular incumbent, who has been chosen by the people to fill the station from which he is to be by retroactive legislation ejected.

Between himself and the government, there are mutual subsisting obligations, which I think, as a matter of grace, ought not to be violated.

But there is another more serious objection to the bill. It only provides for an election, and does not provide for an election of a successor. Under its provisions, the collector to be elected in January, holds his office until the legislature shall think proper to provide for the election of a successor.

HENRY M. RECTOR.

HALL OF THE HOUSE OF REPRESENTATIVES, }
December 22d, 1860. }

I, S. M. SCOTT, principal clerk of the House of Representatives of the General Assembly of the State of Arkansas, do hereby certify that the above is a true and correct copy of the "veto message," sent in by the governor of the State of Arkansas, as his reasons for rejecting the bill providing for an

election of a tax collector for the county of Phillips, passed at the present session of the General Assembly.

S. M. SCOTT, *Clerk of*
House of Representatives.

Said veto message was read.

Mr. President then stated the question, "shall the bill pass, notwithstanding the objections of the governor?"

Messrs. Oates, Craighead, Clark and Trimble advocated the affirmative of the question; and Messrs. Fagan, Douglas, Mecklin and McCreery the negative.

Mr. President ordered the yeas and nays on the question, and the roll was called with the following result:

YEAS—Messrs. Carrigan, Clark, Craighead, Davies, Gray, Lemoyne, McAlexander, Miller, Mitchell, Oates, Pennington, Rosson, Trimble, Ward, Watkins and Mr. President—16.

NAYS—Messrs. Douglas, Fagan, McCreery and Mecklin—4.

Mr. Terry asked to be, and was excused from voting.

So the bill passed by the constitutional majority.

Mr. Lemoyne was called to the chair.

No. 99. Mr. McCreery, on leave, introduced Senate bill, to be entitled "an act to appropriate \$100,000 to arm volunteer companies in the several counties of this state."

Read the first time.

On motion of Mr. Davies, the rules were suspended, and the bill read the second time by title.

Mr. Davies moved to amend the bill by striking out \$100,000 and inserting \$150,000; which amendment was not adopted.

On motion of Mr. Clark, the bill was referred to the committee on ways and means.

On motion of Mr. Davies, House bill No. 178, to be entitled "an act to incorporate the Iron Mountain and Helena Railroad Company," was taken up, and read the second time by title.

On motion of Mr. Davies, the rules were suspended, and the bill read in full (by request of Mr. Craighead) the third time.

Mr. Askew desired to amend the bill (by way of rider), but the same was decided out of order.

The bill was then passed.

No. 100. Mr. Rosson, on leave, introduced Senate bill, to be entitled "an act to amend chapter 137, of Gould's Digest, under the head of 'Public Printing.'"

Read the first time.

On motion of Mr. Rosson, the rules were suspended, and the bill read the second time by title.

Mr. Watkins moved to refer the bill to a select committee of three; which motion prevailed, and the chair appointed Messrs. Watkins, Clark and Oates as such committee.

No. 53. Mr. Clark moved to take up Senate bill, to be entitled "an act to aid the Arkansas Institute for the Blind," which was incorporated on the 4th day of February, A. D. 1859.

On motion of Mr. Craighead, the Senate adjourned until 9 ½ o'clock, Monday morning.

THOS. FLETCHER,

President.

MONDAY, *December 24th*, 1860.

The Senate met pursuant to adjournment.

Roll called.

PRESENT:

Messrs. Askew, Carrigan, Clark, Craighead, Davies, Douglas, Fagan, Gray, Lemoyne, McCreery, Mecklin, Miller, Mitchell, Oates, Terry, Trimble, Ward, Watkins and Mr. President—19.

On motion of Mr. Ward, leave of absence was granted Mr. McAlexander, on account of indisposition.

On motion of Mr. Carrigan, leave of absence was granted Mr. Pennington for eight days.

The journal of Saturday was read, approved and signed.

Mr. Carrigan presented the following resolutions, adopted at a public meeting in Hempstead county:

Resolved by the people of the county of Hempstead, in the State of Arkansas, in primary meeting convened, That the stability and perpetuity of the union of the states composing the United States of America, is dependent upon the equality of said states, and the rights thereof as secured and recognized by the Constitution of the United States.

Resolved, That the institution of slavery, as it exists in the present slaveholding states of this Union, is a constitutional right, secured and recognized by the Constitution of the United States, and that the right of property in such slaves is coëval with the existence of the government of the United States, and ought of right to be so recognized by the states that now exist, or which may hereafter exist, and that it is the duty of the Congress of the United States to protect this right of property in such slaves in all the common territory belonging to the United States throughout their territorial existence, and until they shall be admitted into the Union with or without slavery, as their constitution may prescribe.

Resolved, That the rights of the owner of any such slave escaping from any one state or territory to that of another, shall not be impaired in the right of property in such slave, so escaping, but such slave should be delivered to the owner, and that the law passed by the Congress of the United States, known as the fugitive slave law, is a valid and constitutional law, made to secure and protect constitutional rights, and that all state laws, impairing or defeating this constitutional right, are consequently null and void.

Resolved, That it is the immediate and imperative duty of the Congress of the United States to propose amendments to the Constitution of the United States, fully embodying the principles and sentiments set forth in the foregoing resolutions, and that such amendments should be adopted, and thereby become part and parcel of the Constitution of the United States of America, in accordance with the mode pointed out by the Constitution of the United State, and that such amendments be declared unalterable and irrevocable, without the consent of all the states of this Union.

Resolved, That the election of a man to the presidency of the United States, upon sectional principles, warring against declared and well defined constitutional rights, is antagonistic to the principles upon which the government of the United States was created, and is a just cause of alarm for the safety and perpetuity of the rights of the slaveholding states of the Union, and imperatively demands immediate remedial action by all just and law-abiding citizens.

Resolved, That a copy of the proceedings of this meeting be forwarded forthwith to the General Assembly of the State of Arkansas, now in session at Little Rock, and that they be and are hereby requested and instructed to memorialize or address the Congress of the United States, to propose, as amendments to the Constitution of the United States, the principles and sentiments embraced in the first, second, third and fourth resolutions herein; and that a copy of said memorial or address be forwarded immediately to the executive of each and every state in this Union, and that they be respectfully urged to unite in the immediate application for such proposed amendments to the Constitution of the United States, as a means by which the Union of the states, the peace and happiness of their citizens, and their constitutional rights can be perpetuated and maintained.

Resolved, That in the event that the proposed amendments to the Constitution of the United States, or such others embracing the same rights and principles, and securing the equality of the states, as hereinbefore designated and specified, shall not be immediately and favorably received and acted upon by the Congress of the United States, that the State of Arkansas will, in justice to herself, take such immediate action, in conjunction with the slaveholding states of this Union, as may be deemed just and equitable by a convention of said states, under such form and system of government as may be agreed upon between them for their future security in the enjoyment of life, liberty, happiness and property, and which has been denied to them by the aggressive and lawless policy of a large majority of the free states of this Union.

Resolved, That a copy of the proceedings of this meeting be published in the newspapers in Washington, Arkansas, and also the newspapers published in Little Rock, Arkansas, and that copies of the same be forwarded to our representatives and senators in the Congress of the United States, and that they be requested to take such action thereon as may be necessary to secure the object thereof.

Said resolutions were read, and on motion of Mr. Carrigan, referred to the committee on federal relations.

Mr. Trimble presented the petition of Alvis Allbright and Mary Allbright, his wife, supported by the petition of 21 citizens of Independence county, praying the General Assembly to pass a special act exempting Molly Phillips, a free woman of color, from the operations of the act removing free negroes and mulattoes from this state.

Said petition was read, and on motion of Mr. Trimble, referred to the committee on judiciary, with instructions to report by bill or otherwise.

Mr. Davies offered the following

RESOLUTIONS:

Resolved, That the committee to which was referred a bill which proposes to reduce the state tax, be required to report the same back to the Senate for its action.

Which was read, and on motion of Mr. Davies, adopted.

Mr. Davies moved to adjourn until 9½ o'clock Wednesday morning, on which motion Mr. Lemoyne called for the yeas and nays, which call being sustained, was ordered with the following result:

YEAS—Messrs. Craighead, Davies and McCreery—3.

NAYS—Messrs. Askew, Carrigan, Clark, Douglas, Fagan, Gray, Lemoyne, Mecklin, Miller, Mitchell, Oates, Terry, Trimble, Ward, Watkins and Mr. President—16.

So the motion to adjourn was lost.

The following message was received from the governor:

Mr. PRESIDENT—

I am instructed by the governor to report to the Senate that on the 22d day of December, 1860, he approved and signed an act for the relief of the citizens near Shady Grove church, in Dallas county, Arkansas.

An act to amend an act to incorporate the Ouachita Conference Female College.

An act to incorporate the Des Arc and Dardanelle railroad company.

And an act to authorize the clerk of the circuit court of Independence county to transcribe records in his office.

W. M. MATHENY,
Private Secretary.

December 24th, 1860.

Mr. Watkins, from a select committee, made the following

REPORT:

Mr. PRESIDENT—

The select committee to whom was referred Senate bill No. 100, to be entitled "an act to amend chapter 137, of Gould's Digest, under the head of public printing," have had the same

under consideration, and have instructed me to report the same to the Senate with an amendment, and as amended, to recommend its passage.

Amend the first section by striking out "ten per cent," and insert "fifteen per cent."

WATKINS, *Chairman*.

Said report was received, and on motion of Mr. Oates, the amendment was adopted.

Mr. Fagan moved to adopt the bill, No. 86, to be entitled an act to amend the 137th chapter of Gould's Digest, and to provide for letting out the public printing to the lowest bidder, which was reported by the minority of the committee on public printing as a substitute for the bill under consideration.

Mr. McCreery called for the yeas and nays on said motion, which call was sustained, and made with the following result:

YEAS—Messrs. Douglas, Fagan, Gray, McCreery and Trimble—5.

NAYS—Messrs. Askew, Carrigan, Clark, Craighead, Davies, Lemoyne, Mecklin, Miller, Mitchell, Oates, Terry, Ward, Watkins and Mr. President—14.

So the motion to substitute was lost.

On motion of Mr. Watkins, the bill, No. 100, under consideration, was read the third time, when Mr. Oates called for the yeas and nays on its passage, which call was sustained and made with the following result:

YEAS—Messrs. Askew, Carrigan, Clark, Craighead, Davies, Douglas, Gray, Lemoyne, McCreery, Mecklin, Miller, Mitchell, Oates, Terry, Trimble, Ward, Watkins and Mr. President—18.

NAYS—Mr. Fagan—1.

So the bill passed.

Mr. Carrigan, from the committee on internal improvements, made the following

REPORT:

Mr. PRESIDENT—

The committee on internal improvements, to which was referred Senate bill No. 98, to be entitled "an act to aid the Memphis and Little Rock railroad company in the construction and completion of said road," have had the same under con-

sideration, and a majority of said committee instructed me to report the same back to the Senate and recommend its passage.

CARRIGAN, *Chairman*.

Said report was received, and the bill read for information.

Mr. Davies moved to amend the bill by striking out \$100,000 and inserting \$177,676 90, the unappropriated balance of the five per cent. fund, which motion was lost.

Mr. Lemoyne moved to put the bill upon its third reading.

Mr. Clark moved the previous question, but before the same was sustained, Mr. Davies called for the yeas and nays on the main question, which call was sustained and ordered with the following result:

YEAS—Messrs. Carrigan, Clark, Douglas, Fagan, Gray, Lemoyne, Mecklin, Terry and Ward—9.

NAYS—Messrs. Askew, Craighead, Davies, McCreery, Miller, Mitchell, Oates, Trimble, Watkins and Mr. President—10.

So the motion to put the bill on its third reading was lost.

Mr. Oates was called to the chair.

Mr. Watkins offered for a substitute, a bill to be entitled an act to distribute the five per cent. fund among the respective counties of this state.

AN ACT to distribute the five per cent. fund among the respective counties of this state.

WHEREAS, By the compact between the general government and the State of Arkansas, approved June the 23d, A. D., 1836, it was provided that five per cent. of the net proceeds of the sales of lands lying within said State of Arkansas, and which shall be sold by Congress, from and after the first day of July, A. D., 1836, after deducting the expenses incident to the same, shall be reserved for making "*public roads and canals*" within said state, under the direction of the General Assembly thereof; *And whereas*, under the provisions of the above recited compact, between the general government and the State of Arkansas, \$79,125 75 was reserved for the purposes contemplated by this third article of said compact; *And whereas*, by joint resolution of the Congress of the United States, approved the third of March, A. D., 1845, this money was retained in the United States treasury towards the payment of the interest due on the bonds of the State of Arkansas, held by the government of the United States; *And whereas*, of the said five per cent fund, the sum of \$61,065 18 was deposited in the state bank as a part of

its capital, and on that sum a dividend has been declared by the bank up to the first day of January, A. D., 1841, of the sum of \$7,611 72, making an aggregate of \$68,676 90, of principal and dividend deposited in the state bank; *And whereas*, by an act of the General Assembly, approved 31st day of January, A. D., 1859, the sum of \$80,000 of said fund was appropriated as a subscription in the Memphis and Little Rock, and the Mississippi, Ouachita and Red River railroads; this, together with the unappropriated balance, will make the aggregate sum of \$257,667 90, and by the above appropriations, the said five per cent fund has been diverted from its original and legitimate purposes for which it was granted, by appropriating it to the payment of the state debt, making railroads, etc., and thereby incurring an obligation on the part of the state to reimburse the *public roads* of the state, and to carry out the objects of the above recited compact; therefore

SECTION 1. *Be it enacted by the General Assembly of the State of Arkansas*, That the entire and full amount of the five per cent. fund that has to this date accrued, or may hereafter accrue, under the compact made and entered into by and between the general government and this state, to the said State of Arkansas, for *public roads and canals*, including the eighty thousand dollars appropriated to railroads, be, and the same is hereby to be distributed by the state treasurer out of any moneys in the treasury, not otherwise appropriated, to the several counties of this state, according to the number of acres of land entered from the general government in the respective counties of said state at the time of said distribution.

SEC. 2. That the said fund when ready for distribution and distributed shall be drawn by and in the same manner that the proceeds of the sale of the 500,000 acre grant of land is now drawn and managed, and the same shall be under the control and management of the respective county courts.

SEC. 3. That the state treasurer shall distribute the future dividend of said five per cent. fund as it may accrue annually, in like manner as above directed.

SEC. 4 That this act be in force and take effect from and after its passage.

Mr. Clark moved its rejection.

Mr. Davies moved to make both bills the special order for 11 o'clock a. m., on Thursday next, which motion was put and lost.

Mr. Clark withdrew his motion to reject the proposed substitute, and thereupon the question was stated on the adoption thereof, and decided in the negative.

Mr. Davies offered to amend by adding at the end of the 2d section the words, "and the property of the stockholders, both real and personal," in order to extend the lien of the state over such property as well as upon the road.

Mr. Davies called for the yeas and nays on the adoption of his amendment, which call was sustained and made with the following result:

YEAS—Messrs. Davies, McCreery and Mitchell—3.

NAYS—Messrs. Askew, Carrigan, Clark, Craighead, Douglas, Fagan, Gray, Lemoyne, Mecklin, Miller, Oates, Terry, Trimble, Ward, Watkins and Mr. President—16.

So the amendment was lost.

Mr. Lemoyne moved to read the bill the third time, on which motion a division was called for, when 11 voted in the affirmative and 5 in the negative.

The chair announced that there was not a quorum voting, when Mr. McCreery moved to adjourn until 10 o'clock Wednesday morning.

Mr. Lemoyne called for the yeas and nays on said motion, which call was sustained and made with the following result:

NAYS—Messrs. Askew, Carrigan, Clark, Douglas, Fagan, Gray, Lemoyne, Mecklin, Miller, Oates, Terry, Trimble, Ward and Watkins—14.

YEAS—Messrs. Craighead, Davies, McCreery, Mitchell and Mr. President—5.

So the motion to adjourn was lost.

The question was then stated on ordering the bill to its third reading, and decided in the affirmative on a division—12 in the affirmative and 6 in the negative.

So the bill was read the third time.

Mr. Davis moved to recommit the bill to the committee on internal improvements; which motion was lost.

Mr. Davies then moved to make it the special order for Wednesday next at 10 o'clock, a. m.; which motion was also lost.

The question on the passage of the bill was then stated from the chair, and Mr. Davies called for the yeas and nays thereon, which call was sustained and made with the following result:

YEAS—Messrs. Askew, Carrigan, Clark, Craighead, Douglas, Fagan, Gray, Lemoyne, Mecklin, Miller, Oates, Terry, Trimble, Ward and Watkins—15.

NAYS—Messrs. Davies, McCreery, Mitchell and Mr. President—4.

So the bill passed.

Mr. Mecklin, for Mr. Belser, presented the following

REPORT:

Mr. PRESIDENT—

The committee on agriculture, to whom was referred House bill No. 101, to be entitled “an act to incorporate the Arkansas cashmere shawl goat and general stock raising company,” have had the same under consideration, and have instructed me to report the same back to the Senate and recommend its rejection.

BELSER, *Chairman.*

Said report was received, and after some debate, the bill was, on motion of Mr. Fagan, recommitted to a select committee of three.

Messrs. Terry, Lemoyne and Watkins were appointed such committee.

The introduction of bills was in order.

No. 101. Mr. Terry introduced Senate bill, to be entitled “an act to incorporate the Little Rock gas-light company.”

Read the first time.

On motion of Mr. Terry, the rules were twice suspended, the bill read the second and third times by title, and passed.

No. 102. Mr. President introduced Senate bill, to be entitled “an act to provide for the improvement of Bayou Bartholomew.”

Read the first time.

On motion of Mr. President, the rules were suspended, the bill read the second time by title.

Mr. Davies offered to amend the bill by adding the words, “that all the remaining funds known as the five per cent. fund, be appropriated for the purposes herein stated.”

On motion of Mr. Lemoyne, the bill and amendments were referred to the committee on internal improvements.

Mr. Mecklin moved to take up House bill No. 3, to be entitled "an act to tax all patent medicines in this state."

On motion of Mr. Askew, the Senate adjourned until 10 o'clock Wednesday next.

THOS. FLETCHER,
President.

WEDNESDAY, *December 26, 1860.*

The Senate met pursuant to adjournment.

Roll called.

P R E S E N T :

Messrs. Askew, Carrigan, Clark, Davies, Douglas, Fagan, Gray, Lemoyne, McCreery, Mecklin, Miller, Mitchell, Oates, Terry, Trimble, Ward, Watkins and Mr. President—19.

The journal of Monday was read, approved and signed.

Mr. Oates offered the following

RESOLUTION:

Resolved, That a seat within the bar of the Senate be tendered the Hon. David Hubbard, of Alabama, during his stay at the capital.

Read, and on motion of Mr. Terry, adopted.

Mr. President laid before the Senate the following dispatch:

DECEMBER 22d, 1860.

By telegraph from Washington, Dec. 21, 1860.

*To the President and Speaker of the
General Assembly of Arkansas:*

It is now manifest that the other cotton states will secede. North Carolina moves towards the same end. The people of

the border states are taking steps to call conventions—the spirit of the present Congress forbids a reasonable hope of any adequate remedy. We believe it to be our public duty to state our present conviction, which is, that it is the imperative interest of the state to pass an act calling together a convention to enable the people of Arkansas to join in the common councils of the South, for her protection and future safety.

R. W. JOHNSON and
T. C. HINDMAN.

Said dispatch was read, and on motion of Mr. Fagan, the secretary was instructed to transmit a copy of the same to the House of Representatives for their consideration.

On the further motion of Mr. Fagan, said dispatch was referred to the committee on federal relations.

Mr. President also presented the following certificate from the governor of Alabama:

EXECUTIVE DEPARTMENT,
Montgomery, Dec. 10th, 1860.

WHEREAS, The election of Abraham Lincoln, a black republican, to the Presidency of the United States, by a purely sectional vote, and by a party whose leading and publicly avowed objects is the destruction of the institution of slavery, as it exists in the slaveholding states; *And whereas*, The success of said party, and the power which it has, and soon will acquire, greatly endanger the peace, interest, security and honor of the slaveholding states, and makes it necessary that prompt and effective measures shall be adopted to avoid the evils which must result from a republican administration of the federal government; and as the interests and destiny of the slaveholding states are the same, they must naturally sympathise with each other; they, therefore, so far as may be practicable, should consult and advise together as to what is best to be done to protect their mutual interest and honor.

Now, therefore, in consideration of the premises, I Andrew B. Moore, governor of the State of Alabama, by virtue of the general powers in me vested, do hereby constitute and appoint Hon. David Hubbard, a citizen of said State, a commissioner to the sovereign State of Arkansas, to consult and advise with his excellency Governor H. M. Rector, and the members of the legislature, to be assembled in said state, as to what is best to be done to protect the rights, interests and honor of the slaveholding states, and to report the result of such consultation in time to enable me to communicate the same to the convention of the State of Alabama, to be holden on Monday, the 7th day of January next.

In testimony whereof, I have hereunto set my hand, and
 [L. S.] caused the great seal of the state to be affixed in
 the city of Montgomery, this 10th day of December,
 A. D. 1860. A. B. MOORE.

On motion of Mr. Lemoyne, the secretary was instructed to transmit said communication to the House of Representatives.

Mr. Mecklin, from the committee on enrollments, made the following

REPORT :

Mr. PRESIDENT—

The committee on enrolled bills have examined “an act to establish separate courts of chancery in the county of Jackson,” and have instructed me to report the same correctly enrolled.

MECKLIN, *Chairman*
pro tem of Committee on Enrollments.

Said report was read and received.

No. 103. Mr. Fagan introduced Senate bill, to be entitled “an act prohibiting the sale of spirituous and vinous liquors in the country embracing and lying immediately and adjacent to the Burton Male and Female Academy, in Saline county,” which bill was accompanied with and supported by a petition.

Said bill was read the first time.

On motion of Mr. Fagan, the rules were suspended, the bill read the second time by title, and referred to the committee on education.

Mr. Watkins asked and obtained leave of absence for Mr. Rosson, on account of sickness.

Mr. Davies offered the following joint

RESOLUTION:

Resolved by the General Assembly of the State of Arkansas,
 That the following sums of money be appropriated out of any money in the treasury not otherwise appropriated, to pay the expenses of conveying the body of the late Hon. Wm. A. Jones to his place of residence in St. Francis county, to-wit:

To Isaac Huyck.....	\$54 00
To Alex. George.....	54 00
To G. W. Lemoyne (for expenses).....	50 45
To E. Illg, for metallic coffin.....	150 00

Said resolution was read the first time.

On motion of Mr. Davies, the rules were twice suspended, the resolution read the second and third times and passed.

Mr. Watkins, from the committee on ways and means, made the following

REPORT:

MR. PRESIDENT—

Your committee on ways and means, to whom was referred Senate joint resolution No. 13, "to furnish Carroll county with reports of decisions of supreme court, and Langtree's sectional map," together with several amendments proposed in the Senate, have had the same under consideration, and recommend the following amendment: strike out "Langtree's sectional map of Arkansas," where it occurs in the resolution and amendments, and with this amendment, the committee recommend the passage of the resolution.

WATKINS, *Chairman.*

Said report was received; and

On motion of Mr. Watkins, the amendments were adopted.

On motion of Mr. Clark, the resolution was so amended as to extend the provisions of the same to Scott county.

On motion of Mr. Lemoyne, the provisions of the resolution were also extended to Perry county.

On motion of Mr. Watkins, the resolution was read the third time, as amended, and passed.

Message from the House of Representatives, by the clerk:

MR. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have assented to Senate bill No. 21, entitled an act to incorporate the Arkansas Institute for the Deaf and Dumb," with two several amendments thereto.

Said bill is herewith returned, and the amendments thereto annexed, transmitted for the concurrence of your honorable body, which is respectfully asked.

The House of Representatives have passed the following House bills, to-wit:

No. 199, to be entitled an act to grant a charter to Jonathan Hardin, to build a toll bridge across Cadron creek, in Conway county.

Also, House bill No. 200, to be entitled an act to repeal an

act entitled an act to incorporate the trustees of the Magnolia Female Institute.

Also, House bill No. 201, to be entitled "an act further to define the duty of the grand jury of the county of Columbia, and for other purposes.

Also, House bill No. 204, to be entitled an act to incorporate the Union Cemetery.

Also, House bill No. 208, to be entitled an act to amend section 1, chapter 49, of Gould's Digest, as to the counties of Bradley and Jefferson.

Said five House bills are herewith transmitted for the assent of your honorable body, which is respectfully asked.

S. M. SCOTT, *Clerk of
House of Representatives.*

Mr. Carrigan, from the committee on internal improvements, made the following

REPORT:

Mr. PRESIDENT—

The committee on internal improvements, to which was referred the petition of sundry citizens, praying for a repeal of all laws declaring Buffalo Fork, of White river, a navigable stream, have had the same under consideration and have instructed me to report the accompanying bill and recommend its passage.

CARRIGAN, *Chairman.*

Said report was received, and the bill, No. 104, to be entitled an act to repeal all laws heretofore passed, declaring Buffalo Fork, of White river, a navigable stream, was read the first time.

On motion of Mr. Carrigan, the rules were twice suspended, the bill read the second and third times, by title, and passed.

Mr. Terry, from a select committee, made the following

REPORT:

Mr. PRESIDENT—

The select committee, consisting of Messrs. Terry, Lemoyne and Watkins, to whom was referred House bill No. 101, to incorporate the Cashmere Goat and Stock Raising company, have had the same under consideration and unanimously instruct me to report it back and recommend its rejection.

TERRY, *Chairman.*

Said report was read and adopted and the bill thereby rejected.

Mr. Mitchell offered the following joint

RESOLUTION:

Resolved, by the General Assembly of the State of Arkansas,
That the following be appropriated out of any money in the treasury, not otherwise appropriated:

To pay Joseph F. Shears, for music furnished on funeral occasion of the late Hon. Wm. A. Jones, the sum of \$40 00.

To pay Old Line Democrat for printing programme for funeral ceremonies, \$5 00.

Said joint resolution was read the first time.

On motion of Mr. Fagan, the rules were twice suspended, the resolution read the second and third times and passed.

No. 105. Mr. Ward introduced Senate bill to be entitled an act to provide for the sale of runaway slaves, confined in the penitentiary.

Read the first time.

On motion of Mr. Ward, the rules were suspended, the bill read the second time, by title, and referred to the committee on judiciary.

No. 106. Mr. Carrigan introduced Senate bill to be entitled an act to reorganize the corporation of the town of Washington.

Read the first time.

On motion of Mr. Carrigan, the rules were twice suspended, the bill read the second and third times, by title, and passed.

No. 107. Mr. Clark introduced Senate bill to be entitled an act to authorize the county courts of Sebastian, Scott, Montgomery, Pike and Hempstead, to subscribe for stock in a telegraph line from Ft. Smith to Washington, in Hempstead county.

Read first time.

On motion of Mr. Clark, the rules were twice suspended, the bill read the second and third times and passed.

Mr. Lemoyne was called to the chair.

On motion of Mr. McCreery, the joint resolution offered by Mr. Terry, on the 18th inst., proposing to move the state capitol to Bentonville, in Benton county, was taken up.

Mr. McCreery moved to amend by striking out the preamble of the resolution; which motion was lost by a tie vote, on division—8 voting in the affirmative and 8 in the negative.

Mr. Fagan moved to amend by striking out the last syllable of the word Bentonville, ("ville") and the words "in Benton county," which amendment was adopted.

Mr. Davies then moved to strike out the word "Benton" and insert "Des Arc;" which motion prevailed on a division—9 in the affirmative and 8 in the negative.

On motion of Mr. Oates, the resolution was read the third time, as amended, when Mr. Terry moved its adoption.

Mr. Fagan called for the yeas and nays on said motion, which call was sustained and made, with the following result:

YEAS—Messrs. Askew, Davies, Douglas, McCreery, Mitchell, Oates, Trimble and Watkins—8.

NAYS—Messrs. Carrigan, Clark, Craighead, Fagan, Gray, Lemoyne, Mecklin, Miller, Terry, Ward and Mr. President—11.

So the resolution was not adopted.

On motion of Mr. President, the Senate adjourned until 9½ o'clock to-morrow morning.

THOS. FLETCHER,

President.

THURSDAY, *December 27th*, 1860.

The Senate met pursuant to adjournment.

Roll called.

P R E S E N T :

Messrs. Askew, Carrigan, Clark, Craighead, Davies, Douglas, Fagan, Gray, Lemoyne, McCreery, Mecklin, Miller, Mitchell, Oates, Terry, Trimble, Ward, Watkins and Mr. President—19.

The journal of yesterday was read, approved and signed.

Mr. President presented the following resolutions adopted at a political meeting in Arkansas county.

WHEREAS, At the recent presidential election held on the 6th November, 1860, the free states of this republic elected their candidates for President and Vice President, a majority of which states have for a long time nullified the laws of the land—passed state laws revolutionary in their character—spurned the decisions of the supreme court of the United States, denied the equality of the states composing this republic, denied the constitutional rights of the South, and have pledged themselves to war on these rights for all time to come; *And whereas*, we believe the time has arrived, and is now at hand for these states thus warred on “to set their house in order,” and take firm action as shall best preserve and promote their honor, interest and safety. Therefore, be it

Resolved, That we recommend to the legislature of our state to call a convention for the purpose of taking such action as the people think necessary and proper.

Resolved, That we believe secession is the last remedy for the ills we complain of.

Resolved, That we believe we have tried all honorable means to live in peace and equality with the northern states, and having failed, we are of the opinion that secession is our only alternative.

Resolved, That we hail with pride and pleasure the course of our sister state, South Carolina. She has acted with great wisdom and foresight in the course she has adopted, and we advise all of our southern states to do likewise, particularly our own state, Arkansas, and to that end we respectfully ask our governor and legislature to call a convention, and pass acts of secession, and that our state secede peacefully if possible, but to secede under all events and contingencies that can, or possibly may arise, and to do so forthwith.

Resolved, That a copy of the proceedings of this meeting be furnished to our governor and members of the legislature.

Said resolutions were, on motion of Mr. Davies, referred to the committee on federal relations.

On motion of Mr. Craighead, House bill No. 194, to be entitled an act to provide for making and repairing levees in Crittenden county, was taken up and read the first time.

On his further motion, the rules were suspended, the bill read the second time, by title, and referred to the committee on swamp and overflowed lands.

Message from the governor:

Mr. PRESIDENT—

I am instructed by the governor to transmit to the Senate the enclosed documents, communicated to him by the executive of the State of Louisiana, desiring an interchange of views and opinions touching the various questions connected at this time with the affairs of the nation, and respectfully present them to your honorable body as matter of information, which may prove of some service in disposing of kindred subjects, now pending before you.

W. M. MATHENY,

Private Secretary.

December 27th, 1860.

STATE OF LOUISIANA.

EXECUTIVE OFFICE, }
Baton Rouge, December 15, 1860. }

To his Excellency the Governor of the State of Arkansas:

SIR—At an extra and special session of the legislature of this state, on the 12th instant, the following joint resolution was passed, to wit:

Resolved, That the governor be, and he is hereby requested to communicate to the governors of the slaveholding states the action of this session of the legislature, and request them to communicate to him the action and views of their respective states, in regard to the present critical condition of the country.

In compliance with that request I transmit herewith a copy of the acts and resolutions passed at the extra session, and a copy of my message to the legislature, all of which I have the honor to commend to your attention and consideration.

I also respectfully solicit from you any information you may deem it proper to communicate concerning the action of your state, or its probable course, and concerning the views and opinions of yourself, the officers of your state and of its citizens, touching the present critical condition of the country.

Our legislature will meet in regular annual session January 21st, and the state convention on the 23d January, 1861. I desire to lay before the former body as full and as authentic information concerning the sentiments and purposes of the several slaveholding states as possible.

Very respectfully, your obedient servant,

THO. O. MOORE,

Governor of the State of Louisiana.

SPECIAL MESSAGE

OF THE

GOVERNOR OF THE STATE OF LOUISIANA.

*Gentlemen of the Senate and of the House of Representatives
of the General Assembly of the State of Louisiana:*

I have convened your honorable bodies at this unusual time to consider the condition of our present, and future relations to the federal government, before the control of that government is lodged in the hands of a party, whose avowed principles are in antagonism to the interests, the dignity, and the well being of Louisiana. The occasion calls for grave deliberation, wise counsel, cool judgment, and manly action. It will be your province to decide whether its importance justifies the assembling of the people, through their delegates, in extraordinary convention, to determine, in that sovereign capacity, the remedy proper to be applied to existing evils. Never have we been more in need of the protecting care and wise guidance of that Divine Providence, whose aid and influences it becomes states, as well as individuals, to invoke.

An event has now occurred of the gravest import to the people of this whole country, but especially to those of the southern states. Abraham Lincoln and Hannibal Hamlin having received the indorsement of the political party calling itself republican, the fundamental principle of which is an unreasoning and fanatical hostility to slavery, have now been elected to the two highest offices in our federal government, by a purely sectional vote, and in contempt of the earnest protest of the other section, that such election would be considered evidence of a deliberate design to pervert the powers of the government to the immediate injury and ultimate destruction of its peculiar institution. Thirty years ago, the public expression of such opinions as are now entertained and avowed by these two men, in any part of this country, outside of New England, would have inured to their utter, swift and ignominious punishment. The representative man of those opinions, chosen as the instrument to effect their practical operation upon the administration of the national government, is now about to occupy the chair of Washington. So great has been the change of public sentiment in the non-slaveholding states of this confederacy upon a question, vital to our interests, and interwoven with every ramification of our social system.

I feel myself oppressed by the magnitude of the issue involved in the action of our state at this crisis. I have beheld with admiration the beautiful and well-proportioned fabric, made by our forefathers' hands, of a Union of equals, under safeguards provided by a constitution adapted to the wants of the age in which it was made. I have clung with warm affec-

tion to the government, under which we have become so prosperous and great, and have endeavored to repel the conviction, which events have forced upon me, that that government is about to be perverted to purposes never designed by its founders; that the Union is broken in spirit by the attempted destruction of the equality of the states which compose it, and the forms of the constitution invoked to cloak the perpetration of outrages upon the rights of some of the sovereignties which formed it.

Slavery existed in the colonies in the revolutionary era, and in every state but one when the constitution was formed. Its existence was recognized in that instrument by providing for its representation in the popular house of the national legislature. The master was protected by an express affirmation of his right as a citizen of one state to have "delivered up" to him his slave "escaping into another." To this agreement and compact, sovereign states assented; it was part of the bond; it was one of the conditions of fellowship—one of the inducements to the states where slaves were most numerous, and slavery was thought to be permanently fixed, to secure their adhesion to a union which all then believed would "insure domestic tranquility" and "promote the general welfare." In a few years the states having an ungenial climate and a sterile soil found they had no need of slavery as a system of labor, and abolished it within their own limits. They were prompted to this, not by considerations of mock philanthropy, as is assumed in the hypocritical cant of these latter days, but simply and exclusively by a regard to their material interests. Other states, situated in a more tropical clime, and having within their borders a soil adapted to the growth of products which increase the happiness and augment the wealth of mankind, have retained slavery, because practical experience has demonstrated that it is useful, profitable and essential. While, however, the great law of necessity and adaptation has controlled the operation of changes in the two systems of labor, we have not ignored the moral and social aspect of the question. Men of intelligence—politicians, moralists, and statesmen—formerly apologized for the existence of slavery among us on the score of inexorable necessity, and shrank from a defense of their people for its retention. But when abolitionism, emboldened by increasing strength, began to attack our system of labor as a sin and a crime, the moral and religious aspects of the question became the subjects of scrutiny, and the result has been a complete vindication of our institution, and a correction of popular errors concerning it. We have decided to retain it, and believe that any other people, similarly circumstanced, will be benefited by it. The non-slaveholding states got rid of it, and we did not complain. They exercised their

own judgment, and gratified their own desires by that act. But these states not only determined that they would not have slavery themselves, but they have also declared that no new sovereignty within the sphere of their influence shall have it, and no new soil shall be worked by it, although the inhabitants shall have carried slaves, along with the other members of their household and other property, to their new home, and shall themselves desire the existence of the institution. This is an intolerant and intolerable assumption of power—an avowal of a reckless resolve to disregard the rights of southern citizens, and to deprive us of one of the inherent and necessary privileges which attach to us as equals.

So long as such sentiments were confined to scattered, and uninfluential, and demented zealots in New England, they excited no other feeling than contemptuous commiseration, but they have now permeated the whole structure of social and industrial life in the non-slaveholding states; and leavened the whole mass. Their gradual propagation has been evinced by the legislation of these states. Nearly every one of them have nullified the fugitive slave law, and enacted the most stringent penalties against assisting any master in recovering his slave. There are not more than two or at most three northern states, I think, that have not legislated in some manner inimical to the clear constitutional right of the slave owner in this particular. The use of their prisons is denied for the lodgment of escaped slaves, and every officer and citizen is forbidden, under pain of punishment, heavier than that inflicted by them for some heinous crimes, to aid or assist in any manner in the capture of our negroes, while the complete freedom of the slave from any danger from arrest and detention is secured by personal liberty bills. They boast of annually depriving us of that species of property to the extent of millions of dollars. Their citizens form combinations to prevent the emigration of southern citizens with their slaves, into the unoccupied and common domain of the country. The man who is now the president elect of this republic of states, has declared, at a recent date, that we could not remain as we have ever been, part slave and part free, but that the conflict between the northern and southern systems of labor must end with the downfall of slavery.

The election of Mr. Lincoln by the northern people, as the representative of these opinions, and the executor of such intentions as are foreshadowed without ambiguity by the public men and political bodies having affinity with him, shows that the northern mind is poisoned against us, and that it no longer respects our rights, or their obligations. The large majorities given in most of these states for the electors favorable to Mr. Lincoln, is an evidence of the universality of this feeling of hostility to our institutions, and of the depth to which this de-

lusion of the popular mind has penetrated. The wise counsels of the fathers are forgotten or unheeded—the fraternal remonstrances of the South, whether made by individual citizens or sovereign states, are disregarded—the warning of one of their own statesmen, himself an ex-president, that the South neither would nor ought to submit to the election of any one avowing their traitorous policy, has been treated as idle gasconade, and a mad and senseless fanaticism has taken possession of the northern mind, as if they designed either to drive us to a desperate remedy, or, deceived by our forbearance, relied on our devotion to the Union to force us into a torpid acquiescence, if not an unmanly submission.

The time was when men shrank from calculations of the value of the Union. That has long since passed, and now they who, during a long life, have ever cherished and cultivated veneration for the government with an almost religious fervor, are driven to the contemplation of its disruption. The constitution is the only bond of Union. But if it is to be respected and obeyed by the northern people only when it chimes with their theoretical opinions, or conserves their interests—if we are practically assigned the position of inferiors, when the letter and spirit of the bond is that we are equals—if we are to be oppressed and despoiled of our property, and to be tyrannized over by a hostile government, and expected to submit because the outrage is perpetrated under the forms of law, then it is better we should retire from an association which has ceased to benefit us through perversion from its original design.

In order, therefore, that the future position and proper policy of the State of Louisiana may receive the thoughtful and calm consideration which it deserves, and that her citizens may have an opportunity of giving form and expression to their views in this regard, I recommend to your honorable bodies to provide for the election of members of a convention, as soon as may be proper with due regard to time, to whom shall be committed the duty and responsibility of determining that position, and shaping that policy so far as affects the relations of Louisiana to the federal government. That convention will meet, consult and decide without regard to my opinions as contained in this message, but I do not think it proper, under existing emergencies, that I, the chief executive officer of the state, should omit the expression of my convictions as to the course which our state ought to pursue.

I have earnestly desired that a conference or convention of the slaveholding states should be held, in order that they might counsel together, and act unitedly in this grave crisis. I still desire that such a conference shall be had, if practicable in point of time. Louisiana ought not to refuse to meet her sister slaveholding states in council, and there unitedly determine

upon a firm demand to be made of the northern states for the repeal of their obnoxious legislation, and the guarantee and security of those rights, which have so long been persistently refused. Still, although such a course has seemed to my mind desirable, and I had hoped that a practical and practicable plan might ere this have been suggested to accomplish this object, I do not think the action of Louisiana should be unreasonably postponed under the mere hope or expectation that such a body would be at some distant time convened. It should meet at once, and determine at once, before the day arrives for the inauguration of a black republican president.

I do not think it comports with the honor and self-respect of Louisiana, as a slaveholding State, to live under the government of a black republican president. I will not dispute the fact that Mr. Lincoln is elected according to the forms of the Constitution; but the greatest outrages, both upon public and private rights have been perpetrated under the forms of law. This question rises high above ordinary political consideration. It involves our present honor, and our future existence as a free and independent people. It may be said that when this Union was formed it was intended to be perpetual. So it was, so far as such a term can be applied to anything human; but it was also intended to be administered in the same spirit in which it was made, with a scrupulous regard to the equality of the sovereignties composing it. We certainly are not placed in the position of subjects of a European despotism, whose only door of escape from tyranny is the right of revolution. I maintain the right of each state to secede from the Union, and therefore whatever course Louisiana may pursue now, if any attempt should be made by the federal government to coerce a sovereign state, and compel her to submission to an authority which she has ceased to recognize, I should unhesitatingly recommend that Louisiana assist her sister state with the same alacrity and courage that the colonies assisted each other in their struggle against the despotism of the Old World.

If I am not mistaken in public opinion, the convention, if assembled, will decide that Louisiana will not submit to the presidency of Mr. Lincoln. In the temper of the northern mind it is not possible to foresee the course of policy that Congress may determine upon, and it is the part of wisdom to prepare ourselves for any emergency that its legislation may produce. We are without arms to defend ourselves from attack should our sovereignty be assailed, and it therefore becomes our imperative duty to adopt immediate measures for supplying ourselves with all materials for war. In the brief period which you are likely to remain in session it would be impracticable to recognize our militia system on a sound basis. In order, therefore, to be prepared, for prompt and judicious action, I recommend

the creation of a military board, or commission, whose duty it shall be to purchase arms and distribute them to volunteer companies throughout the State, under a system to be devised by the board. This board should also be required to mature a plan for the reorganization of our militia, and report to the regular session of the General Assembly on the first day of the session. It should be composed of men of military education and experience, who will thoroughly understand our wants, and the best and least expensive mode of providing for them. A liberal appropriation ought to be made by the General Assembly—not less than half a million of dollars—to be expended, under the authority of the board, in the purchase of the best made arms, of the most approved patterns. Even if our relations with the federal government were other than they are, I should still recommend the same appropriation; for the state may be said to be almost entirely without arms, as you will find by reference to the report of the adjutant general, which accompanies this message.

THOMAS O. MOORE.

EXECUTIVE OFFICE, Baton Rouge, Dec. 10, 1860.

No. 1.]

AN ACT

To promote the formation of military companies, and to provide for arming and equipping the same.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened,* That a military board be, and the same is hereby created, to be composed of the governor of the state, and four persons, to be by him appointed, by and with the advice and consent of the Senate, and each of whom shall give bond and security for the faithful performance of their duties, in the sum of ten thousand dollars, to be approved by the state treasurer and auditor of public accounts, of which board the governor shall be president.

SEC. 2. *Be it further enacted, etc.,* That it shall be the duty of said board to purchase such arms and munitions of war, as, in the judgment of the board, may be necessary to protect the state from foreign or domestic violence; and to this end said board shall have full power to appoint one of its own members, or any competent person, to proceed to such place, or places, as the board may deem proper, in order to obtain the best arms.

SEC. 3. *Be it further enacted, etc.*, That it shall be the duty of said board to distribute said arms and munitions of war, or so much of the same as the board may deem advisable, to volunteer military companies, under such rules and regulations as said board may prescribe; *Provided*, That every parish shall have furnished them at least arms and equipments sufficient to arm one infantry or cavalry company, as may be formed in said parish.

SEC. 4. *Be it further enacted, etc.*, That a portion of said arms and munitions shall be kept in New Orleans, and a portion at the seminary of learning and military academy in the parish of Rapides, under rules to be established by said board, and the board shall have power to establish military depôts in other parts of the state, according to their discretion.

SEC. 5. *Be it further enacted, etc.*, That volunteer companies desiring to be furnished with arms, shall report their organization to said board, under the rules to be established by the board; and volunteer companies, battalions, regiments and brigades, may be formed, and elect their own officers, independent of the present militia law, and subject to no command but their own officers and the governor; *Provided*, That no company shall consist of less than thirty members.

SEC. 6. *Be it further enacted, etc.*, That immediately after the passage of this act, said board shall be convened at Baton Rouge by the governor, and shall make by-laws for their government. All sessions of the board shall be held at Baton Rouge, and it shall be convened by the governor, at the request of any two members, or at such time as the governor may think proper. The members of the board shall receive the same mileage and per diem compensation as members of the General Assembly, when engaged in the discharge of their duties.

SEC. 7. *Be it further enacted, etc.*, That said board shall report at the next session of the General Assembly everything done by the board in furtherance of this act. Said board shall, at the same time, report some plan for the organization of the militia, or for the promotion of the formation of volunteer companies, as said board may deem best, and they shall further report a plan for the establishment of a permanent military bureau at the seat of government, should the board consider the same expedient.

SEC. 8. *Be it further enacted, etc.*, That the sum of ninety thousand dollars, surplus collection of the internal improvement tax, be transferred to the general fund, and said sum, together with the sum of four hundred and ten thousand dollars, out of any moneys in the treasury not otherwise appropriated, be, and the same are hereby appropriated to carry out the purposes of this act.

SEC. 9. *Be it further enacted, etc.,* That all expenses incurred under this act, shall be paid out of the moneys herein appropriated, upon the order of the president of the board on the treasury department.

SEC. 10. *Be it further enacted, etc.,* That this act shall take effect from and after its passage.

C. H. MORRISON,

Speaker of the House of Representatives.

HENRY M. HYAMS,

Lieutenant Governor and President of the Senate.

Approved, December 12th, 1860.

THO. O. MOORE,

Governor of the State of Louisiana.

A true copy,

PLINY D. HARDY, *Secretary of State.*

No. 2.]

AN ACT

Making an appropriation to defray the contingent expenses of the General Assembly of the State of Louisiana.

Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That the sum of fifty thousand dollars, or as much thereof as may be necessary, be, and is hereby appropriated out of the general funds, to defray the contingent expenses of this called session of the General Assembly of the state.

C. H. MORRISON,

Speaker of the House of Representatives.

HENRY M. HYAMS,

Lieutenant Governor and President of the Senate.

Approved, December 12th, 1860.

THO. O. MOORE,

Governor of the State of Louisiana.

A true copy,

PLINY D. HARDY, *Secretary of State.*

No. 3.]

AN ACT

Making an appropriation to defray the expenses of the presidential electors.

Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That the sum of seven hundred and fifty dollars, or so much thereof as may be necessary, be appropriated for the purpose of defraying the expenses, mileage and per diem of the presidential electors in the late presidential election.

C. H. MORRISON,

Speaker of the House of Representatives.

HENRY M. HYAMS,

Lieutenant Governor and President of the Senate.

Approved, December 12, 1860.

THO. O. MOORE,

Governor of the State of Louisiana.

A true copy,

PLINY D. HARDY, *Secretary of State.*

No. 4.]

JOINT RESOLUTION

Requesting the governor of this state to communicate with the governors of the slaveholding states in relation to the present critical condition of the country.

Resolved by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That the governor be, and he is hereby requested to communicate to the governors of the slaveholding states the action of this session of the legislature, and request them to communicate to him the action and views of their respective states in regard to the present critical condition of the country.

C. H. MORRISON,

Speaker of the House of Representatives.

HENRY M. HYAMS,

Lieutenant Governor and President of the Senate.

Approved, December 12, 1860.

THO. O. MOORE,

Governor of the State of Louisiana.

A true copy,

PLINY D. HARDY, *Secretary of State.*

No. 5.]

AN ACT

Providing for a state convention.

WHEREAS, In the opinion of the General Assembly, the condition of public affairs demands that a convention of the people be called to take such action as the interest and welfare of the State may require; therefore

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened,* That immediately after the passage of this act, it shall be the duty of the governor to issue a proclamation to the sheriffs of the several parishes, directing an election to be held for delegates to a state convention, said election to be held on Monday, the seventh day of January, eighteen hundred and sixty-one, and shall be conducted in the same manner as is now provided by law for the election of members of the General Assembly.

SEC. 2. *Be it further enacted, etc.,* That the several parishes and representative districts shall be entitled to the same number of delegates to said convention as the several parishes and representative districts are entitled to members of the House of Representatives of the state, and the several senatorial districts shall be entitled to the same number of delegates as they are entitled to senators in the state senate.

SEC. 3. *Be it further enacted, etc.,* That all persons qualified to vote for members of the General Assembly, under existing laws, shall be entitled to vote for delegates to said convention.

SEC. 4. *Be it further enacted, etc.,* That each voter shall designate on his ballot the name or names of the persons voted for as delegates for the senatorial district, and those voted for as delegates for the parish or representative district, as the case may be. The returns of election shall be made in the same manner and form, and within the same time, as for members of the General Assembly.

SEC. 5. *Be it further enacted, etc.,* That the delegates elected to said convention shall meet at Baton Rouge, in the hall of the House of Representatives, at twelve o'clock, on Wednesday the twenty-third day of January, eighteen hundred and sixty-one. In case any person elected to said convention shall die or resign, a new election shall be ordered by the governor, to fill the vacancy, in the same manner and form, and within the same time, as is provided by law for filling vacancies in the General Assembly.

SEC. 6. *Be it further enacted, etc.,* That the delegates to said convention shall receive the same mileage and per diem compensation to which members of the General Assembly are now by law entitled.

SEC. 7. *Be it further enacted, etc.,* That the sum of twenty-

five thousand dollars be, and the same is hereby appropriated out of any moneys in the treasury not otherwise appropriated, for the mileage and per diem compensation of the delegates, and for the contingent expenses of said convention, and the same shall be paid by the treasury department, on the warrant of the presiding officer of said convention.

SEC. 8. *Be it further enacted, etc.,* That this act shall take effect from and after its passage.

C. H. MORRISON,

Speaker of the House of Representatives.

HENRY M. HYAMS,

Lieutenant Governor and President of the Senate.

Approved, December 12, 1860.

THO. O. MOORE,

Governor of the State of Louisiana.

A true copy,

PLINY D. HARDY, *Secretary of State.*

On motion of Mr. Clark, the amendments of the House to Senate bill No. 21, entitled an act to incorporate the Arkansas Institute for the deaf and dumb, were taken up.

The first amendment was read, as follows:

Amend section 10 by striking out "six thousand dollars a year," and inserting in place thereof, "two thousand dollars for first year, and fifteen hundred dollars for each year thereafter."

Said amendment was, on motion of Mr. Clark, concurred in.

The second amendment, to add the following section, was read.

SEC. 11. The institution herein created and established shall be located at or near Ft. Smith, in Sebastian county.

Said amendment was, on motion of Mr. Clark, concurred in.

On motion of Mr. Carrigan, House bill No. 145, to be entitled an act amendatory of an act passed at a previous session of the legislature of Arkansas, declaring the Ozan creek a navigable stream; was taken up and read the first time.

On his further motion, the rules were twice suspended, the bill read the second and third times by title, and passed.

Mr. Rosson appeared within the Senate and took his seat.

On motion of Mr. Terry, House bill No. 163, to be entitled an act to incorporate the Hickory Plains Male and Female Institute, was taken up and read the first time.

On his further motion, the rules were twice suspended, the bill read the second and third times by title, and passed.

On motion of Mr. Trimble, House bill No. 166, to be entitled an act to aid the foreclosure of the stock mortgages given to secure stock subscriptions to the Real Estate Bank of the State of Arkansas, was taken up and read the first time.

On his further motion, the rules were suspended, and the bill read the second time, by title.

Mr. Lemoyne moved its reference to the committee on judiciary.

Mr. Trimble moved to refer it to the committee on banks.

Mr. Lemoyne's motion was first put and prevailed on a division—10 voting in the affirmative and 7 in the negative.

On motion of Mr. Oates, House bill No. 164, to be entitled an act to provide for holding a state convention, was taken up and read the first time.

Mr. Rosson moved to suspend the rules for the second reading of the bill.

Mr. Askew objected to the suspension of the rules.

Mr. Rosson withdrew his motion.

Mr. Terry renewed it.

Mr. Watkins was called to the chair.

After some debate, Mr. President resumed the chair.

The question on the suspension of the rules was stated and decided in the negative on a division—11 to 8—two-thirds not voting in the affirmative.

On motion of Mr. Oates, the bill was made the special order of the day for 10 o'clock to-morrow morning.

On motion of Mr. Terry, the name of Mr. Lemoyne was added to the committee on federal relations.

On motion of Mr. Davies, the name of Mr. Craighead was added to the committee on internal improvements.

Mr. Davies, for Mr. Rosson, presented the following

REPORT:

Mr. PRESIDENT—

The committee upon swamp and overflowed lands, to whom was referred House bill No. 108, entitled an act to incorporate the St. Francis river navigation company, have consid-

ered the same, and with the following amendment recommend its passage.

Amendment:

SEC. 13. That the State of Arkansas, shall, in no case be responsible for any damages on account of opening the channel of said river, and that said company shall not exercise any banking privileges.

ROSSON, *Chairman.*

Said report was received, and on motion of Mr. Davies, the amendment was adopted.

On his further motion, the bill was made the special order for Saturday next, 10 o'clock, a. m.

On motion of Mr. Carrigan, the name of Mr. Askew was added to the committee on federal relations.

Mr. Fagan, from the committee on enrollments, made the following

REPORT:

Mr. PRESIDENT—

I have the honor to report that, on this the 27th day of December, 1860, I handed to the governor, for his consideration, "an act to establish separate courts in the county of Jackson."

FAGAN, *Chairman*

Committee on Enrollments.

Said report was read and received.

The introduction of bills was in order.

No. 108. Mr. Davies introduced Senate bill to be entitled an act to aid in the building of a public road across Cache swamp.

Read the first time.

On motion of Mr. Davies, the rules were suspended, and the bill read the second time, by title.

Mr. Trimble offered to amend the bill by adding to the last section:

"That five thousand dollars of the five per cent. fund, be, and the same is hereby appropriated, to aid the construction of a public road, commencing at Batesville, in Independence county, and thence by Smithville, in Lawrence county, to Pocahontas, in Randolph county; and that William L. Pittillo, of Independence county, Edward Holt, of Lawrence county, and John H.

Imboden of Randolph county, are hereby appointed commissioners, to locate, superintend, and construct said road; *Provided*, The above commissioners shall give bond to the state in the sum of ten thousand dollars for the faithful performance of their duties."

Said amendment was read, and Mr. Carrigan offered to amend by an additional section, to-wit:

"That \$5,000 be appropriated out of the same fund for making a good road from Bois D'Arc creek to Red river, at the town of Fulton, and that the said fund be applied under directions of the county court of Hempstead county."

On motion of Mr. Davies, the bill and amendments were referred to the committee on public roads.

No. 109. Mr. Terry introduced Senate bill to be entitled an act to revive section 17, of article 6, of chapter 101, of Gould's Digest.

Read the first time.

On motion of Mr. Terry, the rules were suspended, the bill read the second time by title, and,

On motion of Mr. Davies, referred to the committee on judiciary.

No. 110. Mr. Ward introduced Senate bill to be entitled an act to repeal a portion of section 1, of chapter 147 of the Digest of the State of Arkansas.

Read the first time.

On motion of Mr. Ward, the rules were suspended, the bill read the second time by title, and referred to the committee on judiciary.

On motion of Mr. Rosson, House bill No. 177, to be entitled an act for the relief of Van Buren county, was taken up and read the first time.

On his further motion, the rules were suspended, the bill read the second time, by title, and referred to a select committee.

Messrs. Rosson, Watkins and Carrigan, were appointed such committee.

On motion of Mr. Mecklin, House bill No. 3, to be entitled an act to tax all patent medicines imported into this state, was taken up and read the first time.

On his further motion, the rules were suspended, the bill read the second time, by title; and

On motion of Mr. Trimble, referred to the committee on ways and means.

On motion of Mr. Terry, the name of Mr. Clark was added to the committee on federal relations.

On motion of Mr. Davies, the name of Mr. Mecklin was added to the committee on federal relations.

On motion of Mr. Davies, the Senate adjourned until 9½ o'clock to-morrow morning.

THOS. FLETCHER,
President.

FRIDAY, *December 28th*, 1860.

The Senate met pursuant to adjournment.

Roll called.

P R E S E N T :

Messrs. Askew, Carrigan, Clark, Craighead, Davies, Douglas, Fagan, Gray, Lemoyne, McCreery, Mecklin, Miller, Mitchell, Oates, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—20.

The journal of yesterday was read, approved and signed.

No. 111. Mr. McCreery, on leave, introduced Senate bill to be entitled an act to legalize the sale of a portion of the 16th section in township 9 north, of range 6 west, in White county.

Read the first time.

On motion of Mr. McCreery, the rules were twice suspended, the bill read the second and third times by title, and passed.

Mr. Rosson, from a select committee, made the following

REPORT:

Mr. PRESIDENT—

The select committee, to which was referred House bill No. 117, entitled an act for the relief of Van Buren county, have considered the same and instructed me to report the same back to the Senate and recommend its passage.

ROSSON, *Chairman.*

Said report was received, and the bill read for information.

On motion of Mr. Oates, the bill was amended by striking out the words "without interest," at the end of the first section and inserting in lieu thereof, the words "with interest at the rate of six per cent. per annum."

On motion of Mr. Craighead the bill was ordered to take its place on the calender.

Mr. Mecklin, from the committee on enrollments, made the following

REPORT:

Mr. PRESIDENT—

The committee on enrollments, having examined an act to incorporate the Arkansas Institute for the deaf and dumb, and report it correctly enrolled.

ROBERT MECKLIN,

one of Com. on Enrollments.

Said report was received.

Mr. Terry offered the following joint

RESOLUTIONS:

Resolved by the General Assembly of the State of Arkansas, That we have received with pleasure the communications which have been made to us by Hon. David Hubbard, commissioner from the State of Alabama, duly accredited to this state to confer with Arkansas as to the present state of our federal relations.

Resolved, That we hail with pleasure the action of the State of Alabama, and also of the State of Mississippi, in sending a commissioner, believing as we do that the southern states should counsel, deliberate and fully understand each other.

Resolved, That Mr. Hubbard is entitled to our respect for the manner in which he has discharged his trust, and that a copy of these resolutions be furnished to him by the secretary of the Senate.

Said resolutions read the first time.

On motion of Mr. Trimble, the rules were suspended, and the resolutions read the second time.

Mr. Davies moved their reference to the committee on federal relations, which motion was lost.

Thereupon, on motion of Mr. Askew, the resolutions were adopted, and the secretary instructed to transmit the same to the House:

Message from the House of Representatives by the clerk:

Mr. PRESIDENT—

I am instructed to inform your honorable body that the House have concurred in Senate amendment to House bill No. 157, entitled an act to protect Pleasant Hill church, in Scott county, from disturbance by the sale of intoxicating liquors, to-wit:

Amend by striking out in the fourth line of the first section the words, "or use as a beverage," and inserting before the word barter, in the same line, the word "or."

The House of Representatives have adopted the following resolution:

Resolved, That the General Assembly of the State of Arkansas adjourn *sine die* on the 19th of January, 1861, and the Senate be requested to concur therein.

The House of Representatives have passed the following House bills, viz:

House bill No. 209, to be entitled an act amendatory of the common school laws of the county of Arkansas.

House bill No. 210, to be entitled an act to provide more fully for the incorporation of the town of Paraclifta.

No. 211, entitled an act to amend and render into one law, an act approved January 14th, 1854, incorporating the town of Hamburg, in the county of Ashley, and an act to amend the same, approved February 21st, 1859.

No. 212, entitled an act to aid the citizens of Baitie township, in Benton county, in preventing the sale of spirituous or vinous liquors in said township.

No. 213, entitled an act to repeal sections 2d and 3d, of an act approved 16th February, 1859, preventing the sale of school lands in certain cases, and for other purposes, so far as Marion county is concerned.

No. 214, to be entitled an act for the benefit of Pleasant Ridge Academy, in Bradley county.

No. 215, to be entitled an act for the relief of Elizabeth Jeffries.

No. 217, to be entitled an act to authorize the county court of Poinsett and Craighead counties, to levy a road tax.

No. 218, to be entitled an act to amend an act to incorporate the president and trustees of the Lacy Male and Female Academy, approved 6th January, 1853.

No. 219, to be entitled an act to incorporate the trustees of Hillsboro Male and Female Academy, in Union county, and to prevent the sale of spirituous liquors within three miles of the town of Hillsboro.

Said ten House bills are herewith transmitted for the assent of your honorable body, which is respectfully asked.

The House have concurred in the Senate joint resolutions to furnish Carroll, Mississippi, Scott and Perry counties with reports of decisions of the supreme court of Arkansas.

The House have passed Senate bill No. 61, entitled an act to incorporate the Presbyterian church of Washington, Hempstead county.

Also, Senate bill No. 82, entitled an act to incorporate the Arkansas Synodical College, at Arkadelphia.

Also, Senate bill No. 74, entitled an act to incorporate the Franklin Male and Female Institute, at Ozark, Arkansas.

Said three Senate bills and joint resolutions are herewith returned.

S. M. SCOTT, *Clerk of*
House of Representatives.

Special order, Senate bill No. 164, to be entitled an act to provide for holding a state convention, was taken up and read the second time.

On motion of Mr. Rosson, said bill was referred to the committee on federal relations.

On motion of Mr. Douglas, House bill No. 212, to be entitled an act to aid the citizens of Baitie township, in Benton county, in preventing the sale of spirituous or vinous liquors in said township, was taken up and read the first time.

On his further motion, the rules were twice suspended, the bill read the second and third times by title, and passed.

No. 112. Mr. Terry introduced Senate bill to be entitled an act to authorize the auditor to refund taxes in certain cases.

Which was read the first time.

On motion of Mr. Davies, the rules were suspended, and the

bill read the second time by title, and on motion of Mr. Terry, referred to the committee on ways and means.

House bills on their first reading were ordered up.

House bill No. 25, to be entitled an act concerning slaughter houses and butchers in the cities of Little Rock, Camden, Washington, Ft. Smith, Jacksonport, Batesville and Van Buren, and to promote the health of said cities, and for other purposes, was read the first time.

On motion of Mr. Oates, the rules were suspended, the bill read the second time by title, and referred to the committee on ways and means.

House bill No. 52, to be entitled an act to change the time of holding the circuit court of Monroe county, was read the first time.

On motion of Mr. Oates, the rules were suspended, the bill read the second time by title, and on motion of Mr. Watkins, referred to the special committee on judicial circuits.

House bill No. 90, to be entitled an act to repeal all bankrupt laws in this state, was read the first time.

On motion of Mr. Oates, the rules were suspended, the bill read the second time by title, and on motion of Mr. Watkins, referred to the committee on the judiciary.

House bill No. 177, to be entitled an act to increase the bond of the county treasurer, was read the first time.

On motion of Mr. Oates, the rules were suspended, the bill read the second time by title, and referred to the committee on ways and means.

House bill No. 123, to be entitled an act amendatory of the school law for Phillips county, was read the first time.

On motion of Mr. Oates, the rules were suspended, the bill read the second time by title, and referred to the committee on education.

House bill No. 136, to be entitled an act to declare Moro lake a navigable stream, was read the first time.

On motion of Mr. Rosson, the rules were suspended, the bill read the second time by title, and on motion of Mr. Davies, referred to the committee on internal improvements.

House bill No. 140, to be entitled an act to exempt family graveyards and public burial places from taxation and execution, was read the first time.

On motion of Mr. Carrigan, the rules were suspended, the bill read the second time by title, and on motion of Mr. Davies, referred to the committee on ways and means.

House bill No. 141, to be entitled an act to incorporate the Washington county agricultural and mechanical society into a joint stock company, was read the first time.

On motion of Mr. Mecklin, the rules were twice suspended, the bill read the second and third times by title, and passed.

House bill No. 146, to be entitled an act to authorize the common school commissioner of Carroll county to sell at public sale, the remainder of the 16th sections in Carroll county, Arkansas, was read the first time.

On motion of Mr. Watkins, the rules were twice suspended, the bill read a second and third time by title, and passed.

House bill No. 168, to be entitled an act to repeal so much of section 3, of chapter 148, of Gould's Digest of the State of Arkansas, as relates to levying an annual tax for state purposes, was read the first time.

On motion of Mr. Davies, the rules were suspended, the bill read the second time by title, and on motion of Mr. Fagan, referred to the committee on ways and means.

House bill No. 172, to be entitled an act to incorporate the Helena and Trenton Horse Railroad company, was read the first time.

On motion of Mr. Oates, the rules were twice suspended, the bill read the second and third times by title, and passed.

House bill No. 173, to be entitled an act conferring certain powers on the county courts of Crittenden and Mississippi counties, was taken up and read the first time.

On motion of Mr. Rosson, the rules were suspended, the bill read the second time by title, and on motion of Mr. Craighead, referred to the committee on judiciary.

House bill No. 175, to be entitled an act to prevent the poisoning of any lake or stream of water, well or spring, for the pur-

pose of killing fish, stock, or any other purpose, was read the first time.

On motion of Mr. Carrigan, the rules were suspended, and the bill read the second time by title.

Mr. Carrigan moved to amend by striking out the words, "well or spring," wherever they occur in the bill.

On motion of Mr. McCreery, the bill and amendment were referred to the committee on judiciary.

House bill No. 176, to be entitled an act for the incorporation of the city of Augusta, was read the first time.

On motion of Mr. McCreery, the rules were twice suspended, the bill read the second and third times by title, and passed.

House bill No. 181, to be entitled an act to incorporate the Pine Bluff Cotton Seed Oil Manufacturing company, was read the first time.

On motion of Mr. Rosson, the rules were suspended, and the bill read the second time by title.

Mr. Rosson was called to the chair.

On motion of Mr. President, the rules were further suspended, the bill read the third time by title, and passed.

On motion of Mr. President, the resolution of the House proposing to adjourn *sine die* on the 19th January, 1861, was taken up and read the first time.

On his further motion, the rules were suspended, and the resolution read the second time.

Mr. Carrigan moved to amend by striking out "19th" and inserting "14th" of January, which motion was lost on division—6 voting in the affirmative and 12 in the negative.

Mr. President then moved to amend by striking out "19th," and inserting "Monday the 21st of January."

Mr. Davies having obtained the floor, moved to adjourn until 9½ o'clock to-morrow morning.

On which motion, Mr. Lemoyne called for the yeas and nays, which call was sustained and made with the following result:

YEAS—Messrs. Craighead, Davies, Fagan, McCreery, Miller and Terry—6.

NAYS—Messrs. Askew, Carrigan, Clark, Douglas, Gray,

Lemoyne, Mecklin, Mitchell, Oates, Rosson, Trimble, Ward, Watkins and Mr. President—14.

So the motion to adjourn was lost.

The motion to amend was stated from the chair, when Mr. Askew offered to amend the same by the following resolution:

Resolved, That this General Assembly, from and after the first day of January next, take a recess until the 15th day of February next, with the distinct understanding, that no member shall receive any per diem pay during said recess.

Which was decided out of order.

On motion of Mr. Terry, the resolution and amendments were laid upon the table for the present.

No. 113. Mr. Clark introduced Senate bill, to be entitled "an act to aid in the publication of a digest of the decisions of the supreme court."

Read the first time.

On motion of Mr. Clark, the rules were suspended, the bill read the second time by title, and referred to the committee on judiciary.

Mr. Fagan, from the committee on enrollments, made the following

REPORT:

Mr. PRESIDENT—

I have the honor to report that on this the 28th day of December, 1860, I handed to the governor for his consideration, "an act to incorporate the Arkansas Institute for the deaf and dumb."

FAGAN, *Chairman*.

Said report was read and received.

Mr. Askew offered the following

RESOLUTION:

Resolved, That this General Assembly, from and after the 1st day of January next, take a recess until the 15th day of February next, with the distinct understanding, that no member shall receive any per diem pay during said recess.

Which was read the first time.

Mr. McCreery moved to adjourn until 10 o'clock to-morrow morning; which motion was lost.

Thereupon, on motion of Mr. Watkins, the Senate adjourned until 9½ o'clock to-morrow morning.

THOS. FLETCHER,
President.

SATURDAY, *December 29th*, 1860.

The Senate met pursuant to adjournment.

Roll called.

P R E S E N T :

Messrs. Askew, Carrigan, Clark, Davies, Douglas, Fagan, Gray, Lemoyne, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—20.

The journal of yesterday was read, approved and signed.

Message from the House of Representatives by the clerk:

Mr. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have passed the following House bills, to-wit:

No. 187, to be entitled “an act to amend the assessment laws of this state.”

No. 220, to be entitled “an act to incorporate the Arkadelphia Hook and Ladder Company.”

No. 222, to be entitled “an act to incorporate the Young Men’s Christian Association of Camden, in the county of Ouachita.”

No. 113, to be entitled “an act to amend the 8th section of an act approved the 12th of February, 1859, entitled ‘an act to remove the free negroes and mulattoes from this state.’”

No. 223, to be entitled “an act to amend an act entitled an act to extend the boundaries of the city of Little Rock, approved November 30th, 1860.”

No. 224, to be entitled “an act for the relief of James S. Bennett, of Pope county, and Edward C. Swain, of Newton county, for, and on account of labor done, and money expend-

ed, in the arrest of Cooper and Blackstone, escaped convicts from the penitentiary."

No. 58, to be entitled "an act to pay the judge of the probate and county courts of Ashley, Pulaski, Hempstead and Jackson counties a regular salary per annum."

No. 226, to be entitled "an act to empower executors and administrators to hire out slaves at private hiring."

Said eight bills are herewith transmitted for the consideration of your honorable body.

The House of Representatives have assented to the following Senate bills, viz:

No. 19, to be entitled "an act to amend chapter No. 111, page No. 165, of the Digest of this state."

No. 73, to be entitled "an act for the relief of T. J. Warner, of Lawrence county, and Arthur Crawford, James Winn, J. W. Winn, Pinckney Cantrell, Thomas Gilstrap, and C. G. Gilbreth, of Washington county."

Said two Senate bills are herewith returned.

The House of Representatives have concurred in Senate resolutions relative to the commissioner from Alabama.

Said resolutions are herewith returned.

S. M. SCOTT, *Clerk of
House of Representatives.*

On motion of Mr. Askew, the resolution offered by him on yesterday, proposing a recess from 1st January next to 15th February next, was taken up and read the second time.

Mr. Askew moved its adoption; which motion was discussed until 10 o'clock, when Mr. President announced that the hour for special order, House bill No. 108, to be entitled "an act to incorporate the St. Francis river navigation company," had arrived.

On motion of Mr. Carrigan, a call of the Senate was made, when it appeared that Mr. Craighead was absent without leave.

Messrs. Belser, McAlexander and McColloch were absent by leave of the Senate.

The door-keeper was sent in quest of Mr. Craighead, and after a short time, appeared with the absentee, when the special order was taken up.

Mr. Carrigan moved to postpone the same until 11 o'clock Monday morning.

Mr. Davies opposed the motion, but the same being put to a vote, prevailed.

The question on the adoption of the resolution proposing a recess, was then stated from the chair.

Mr. Fagan moved to amend the resolution by striking out "first day of January," and inserting "first Monday in January;" which motion prevailed.

Mr. Ackew called for the yeas and nays on the adoption of the resolution, which call was sustained and made with the following result:

YEAS—Messrs. Askew, Carrigan, Clark, Craighead, Davies, Fagan, Lemoyne, Mecklin and Ward—9.

NAYS—Messrs. Douglas, Gray, McCreery, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Watkins and Mr. President—12.

So the resolution was not adopted.

Mr. Clark, from the committee on education, made the following

REPORT:

Mr. PRESIDENT—

The committee on education, to whom was referred Senate bill No. 103, to be entitled "an act prohibiting the sale of spirituous and vinous liquors in the country embraced and lying immediately adjacent to Burton Male and Female Academy, in Saline county," have had the same under consideration, and have instructed me to report the same back to the Senate, and recommend its passage.

CLARK, *Chairman*.

Said report was received; and

On motion of Mr. Fagan, the bill was read the third time and passed.

Mr. Lemoyne, from the committee on banks, made the following

REPORT.

Mr. PRESIDENT—

The committee on banks, to whom was referred Senate bill No. 29, have had the same under consideration, and

a majority of whom have requested me to report the same and recommend its passage.

LEMOYNE, *Chairman.*

Said report was received; and,

On motion of Mr. Douglas, the bill was read the third time.

After some discussion, the bill was, on motion of Mr. Lemoynes, recommitted to the committee on judiciary.

Mr. Clark presented the following resolutions, adopted at a meeting of the citizens of Sebastian county:

WHEREAS, The election of Abraham Lincoln to the presidency of these United States, by an entirely sectional party, has given just cause of offence to the southern states of this Union; *And whereas*, The consequent agitation thereupon, is but too likely to result in a disruption of our glorious government, and a destruction of the brightest hopes of mankind; therefore,

Resolved, That deeply as we regret it, yet we regard the election of Mr. Lincoln as entirely constitutional, and therefore no just ground of revolution or secession on the part of any of the southern states of this government.

2d. That we do not recognize in the constitution of these United States, any such right as that of secession, except in a sense synonymous with the inherent right of revolution.

3d. That revolution, or a resort to arms to redress our wrongs, would be the greatest curse that could possibly befall our peaceful and prosperous country, and should only be resorted to when every other honorable expedient has failed.

4th. That we do not regard the present as, in any sense, a proper occasion for such an expedient, but on the contrary, there is now no evil of which the South complains, which, before a christian and civilized world, would justify revolution, or for which revolution would furnish a remedy.

5th. That, granting the existence of such a right as that of peaceable secession, we yet have rights *in the Union*, which it would be cowardly in the extreme to abandon.

6th. That we regard the scheme of a "southern confederacy" as a chimera wholly impracticable, if desirable, and wholly undesirable if practicable, existing only in the imagination of disappointed aspirants to political office.

7th. That it may be, and doubtless is true, that the interests of those politicians (whose success depend upon the ruin of social order,) are with a "southern confederacy," but the interest, and the hopes, and the happiness, and the honor of the *people* of this government are identified with the *Union as it is!*

8th. That we will yet watch with jealousy, the administration of Lincoln, and resist *even to death*, any attempt at an

unconstitutional aggression upon either our rights or our equality in the Union.

9th. That we instruct our representatives in the legislature, to request our representatives in Congress, and to instruct our senators, to use all honorable means of avoiding a dissolution of the Union, and to effect a compromise between the contending sections, upon such terms as shall be just and honorable to all parties.

10th. That Arkansas is quite competent to take care of herself, and her destiny is not "hitched on" to that of South Carolina, or any other state; nor will she allow herself to be "dragged" into any cause contrary to the wishes of her own people, but that she will pursue her own counsels, and shape her own conduct, irrespective of either the wishes, or the precipitate action of any other state.

11th. That we instruct our representatives in the legislature to use their best efforts to pass these resolutions through both houses of that body.

Said resolutions were read; and

On motion of Mr. Clark, referred to the committee on federal relations.

Mr. Ward presented the following resolutions, adopted at a meeting of the citizens of Johnson county:

WHEREAS, The people of the southern states, for the last thirty years, have borne and submitted to the outrage and contumely of the northern states, beyond what could be expected of any people. To recapitulate the many aggressions, studiously committed by the people of the northern states, and also by the states themselves, would only be a rehearsal of the chapter of wrongs a thousand times told, which shows how the rights of southern men have been outraged, and the political rights of the southern states disregarded and trampled on; this not being the time or place to set forth and make an array of the many outrages and untold grievances that the southern people have been made to submit to, time and again—we content ourselves with promulgating the following resolutions as the sentiments of the citizens of Johnson county:

Resolved, That we fully, cordially, approve and indorse the report of the committee on federal relations, in the House of Representatives, now in session at Little Rock, recommending the assembling of a state convention under sanction of law; that said report is an able expose of many of the wrongs committed by the northern people, and the northern states, upon the most sacred rights of the South and her people, showing, as a conclusion, that these aggressions have been studiously planned, and have been rigorously executed for a continuous

number of years, until the overt acts already committed and leveled at the peace, quiet and tranquility of the southern people, cannot be any longer endured or tolerated by a free people, whose Anglo-saxon origin entitle them to an honorable position in all political connexions.

Resolved, That we hereby instruct our members in the state legislature to vote for the law to call a state convention, and to urge its immediate passage, so that the people may have a legal and a legitimate chance to resume their organic rights, so they may speak forth and enumerate their many wrongs, and show up the numerous grievances to which thus far patriotically submitted to for the vain hope of preserving, *in tact*, the Federal Union, bequeathed to us by the fathers of the republic; nothing less, at this time, than the passage of said law will satisfy our reasonable desires.

Resolved, That the late special message sent to the legislature by Gov. Henry M. Rector, shows conclusively that he is ever watchful of the dearest rights of the southern people, and to see that they shall be properly vindicated against the aggressive and overbearing spirit evinced by the northern people; while our rights are in such hands, we may quietly rest assured that our every right will be patriotically vindicated.

Resolved, That we heartily indorse and approve of the three measures of national policy submitted to Congress by our chief magistrate, in his recent annual message, and believe that the principles involved in them, can only be made the just and equitable basis of settlement between the North and the South, and that we accept *none other*.

Resolved, That immediate efforts should be made to discipline and arm the militia of the state, so that we may be prepared for any emergency that may arise.

Resolved, That the federal government of the United States is nothing more than the creative or political machine of the sovereign states as a federative agent, to perform such national functions as is specifically delegated in the constitution of the United States, made by the thirteen original states, and which are affirmatively granted, and no other power can the general government exercise whatever—there being no grant or affirmative organic law in the constitution of the United States which, in any manner, impliedly or otherwise, gives any authority whatever to the general government to coerce or force a sovereign state to any position or condition, less than supreme and equal power to be exercised by such a state.

As a corollary to this—no state having surrendered the reserved right to withdraw from the federal compact, to which they were a voluntary party; they still retain that supreme power to judge of any infraction of the federal constitution which may be injurious to the vitality of their rights. The social

condition and rights of the citizens, and the protection of life, liberty and property. When this fails to the injury or destruction of the rights of the people of any state, by the people and sanction of law and authority of any other state, it then becomes the duty of any such state whose rights are thus wantonly outraged, to put themselves in position to demand immediate and satisfactory guarantees for all such violated rights; and, upon failure, that the same shall be satisfactorily adjusted alike honorable to the parties interested. Such state, exercising and retaining all her sovereign power and rights, ought to withdraw from the federal compact; and form such alliances with other states as will best conduce to the success of human liberty, and in protecting life, liberty and property.

Resolved, That sovereign states, in forming a new federal compact, should specifically reserve the right to withdraw upon the violation of constitutional rights by a majority of states forming the same.

Said resolutions were read; and,

On motion of Mr. Ward, referred to the committee on federal relations.

Mr. Gray presented the following resolutions, adopted by a meeting of the citizens of Dallas county:

Resolved, 1st. That the legislature of Arkansas be requested to call a convention for the people to determine what course of action the state will take in the present crisis of political affairs.

2d. That the legislature be earnestly requested to appropriate at least five hundred thousand dollars for the purpose of arming the state, to meet any emergency that may arise.

3d. That his excellency, Gov. Rector, be requested to appoint suitable drill officers for each county in the state.

4th. That our representatives in the legislature be requested to use all honorable means to carry out the spirit of the above resolutions.

Said resolutions were read; and,

On motion of Mr. Gray, they were referred to the committee on federal relations.

No. 114. Mr. Ward introduced Senate bill, to be entitled "an act to provide for the apprehension of certain criminals."

Read the first time.

On motion of Mr. Ward, the rules were suspended, the bill read the second time by title; and,

On motion of Mr. Askew, it was referred to the committee on judiciary.

The following message was received from the governor:

Mr. PRESIDENT—

I am instructed by the governor to inform your honorable body that, on the 28th day of December, 1860, he approved and signed “an act to establish separate courts in the county of Jackson;” and

“An act to incorporate the Arkansas Institute for the Deaf and Dumb.”

W. M. MATHENY,

December 29th, 1860.

Private Secretary.

No. 115. Mr. Douglas introduced Senate bill, to be entitled “an act to incorporate the Huntsville and Ozark Turnpike Road Company.”

Read the first time.

On motion of Mr. Douglas, the rules were suspended, the bill read the second time by title, and referred to the committee on internal improvements.

On motion of Mr. Askew, House bill No. 113, to be entitled “an act to amend the 8th section of an act approved the 12th of February, 1859, entitled ‘an act to remove the free negroes and mulattoes from this state,’” was taken up and read the first time.

On his further motion, the rules were suspended, and the bill read the second time by title.

On motion of Mr. Rosson, the bill was amended by striking out section 5, as follows:

SEC. 5. *Be it further enacted*, That the provisions of this act shall extend to such free negroes and mulattoes as may return to this state after having left it under the operations of the act of which this is amendatory.

On motion of Mr. Askew, the rules were further suspended, the bill read the third time by title and passed.

House bills on their first reading were ordered to be taken up by number.

House bill No. 58, to be entitled “an act to pay the judge

of the probate and county courts of Ashley, Pulaski, Hempstead and Jackson counties a regular salary per annum," was read the first time.

On motion of Mr. Davies, the rules were suspended, and the bill read the second time by title.

On motion of Mr. Gray, the county of Dallas was added to and made subject to the provisions of the bill.

The bill was then ordered to take its place on the calendar. Mr. Clark was called to the chair.

House bill No. 187, to be entitled "an act to amend the assessment laws of this state," was read the first time.

On motion of Mr. Davies, the rules were suspended, and the bill read the second time by title.

On motion of Mr. Craighead, one hundred copies of the bill were ordered to be printed; and,

On motion of Mr. President, the same was referred to the committee on ways and means.

On motion of Mr. Mecklin, the Senate adjourned until 9 ½ o'clock, Monday morning.

THOS. FLETCHER,
President.

MONDAY, *December 31st*, 1860.

The Senate met pursuant to adjournment.

Roll called.

P R E S E N T :

Messrs. Askew, Carrigan, Clark, Craighead, Davies, Douglas, Fagan, Gray, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—20.

The journal of Saturday was read, approved and signed.

Mr. Carrigan presented the following resolutions, adopted at a mass meeting in Sevier county:

WHEREAS, Serious apprehensions exist in the minds of the people in regard to the present position of political affairs in our beloved country, threatening the disruption of the common bond that has so long held us together as a united and mighty people; therefore, we, the citizens of Sevier county in mass meeting assembled, do declare the following to be our code of political principles, by which we will stand for weal or for woe:

1st. *Resolved*, That any gentleman elected president of the United States in pursuance of the provisions of the constitution, becomes, in virtue of that election, the chief magistrate of the United States, and should be peaceably inaugurated, and so far upheld by all good and loyal citizens as he faithfully discharges his constitutional duties in a constitutional manner.

2d. *Resolved*, That notwithstanding the result of the late election, we see no just reason to despair of our rights in the Union, especially as the Senate and the Congress of the United States will be opposed to the president fixed upon the nation by a sectional party; and especially as we have all the laws upon the statute books that we deem necessary or needful for the protection of our chartered rights, and those statutes fortified and sanctioned by the constitution, and the decision of the supreme court of the United States.

3d. *Resolved*, That in view of these facts, we hold disunion or secession to be a remedy for no known or existing evil, and we declare as far as in us lies, "the Union must and shall be preserved."

4th. *Resolved*, That all attempts by unconstitutional legislation or contrivances, under color of official authority, to annul, impair or evade the faithful execution of the fugitive slave law, are direct violations of the constitution; and we call upon the non-slaveholding states that have passed these personal liberty bills, to testify their returning sense of justice by a prompt repeal of those obnoxious and unconstitutional measures. We ask equal rights under the constitution, and equal rights we must and will have.

5th. *Resolved*, That we feel no less sensitively than our southern brethren, the rank injustice of the personal liberty bills, and we deplore the existence of the fanaticism that prompted their enactment, but we cannot give our assent to repair this wrong by the perpetration of another wrong—the destruction of the Union—by immediate secession from it, and that we solemnly enter our protest against the wrongs and injuries of those personal liberty bills, and the extraordinary

remedy that madness and vaulting ambition propose for our adoption.

6th. *Resolved*, That to us the path of duty is plain; we should strive to bring New Mexico in as a slave state; we should labor for the acquisition of Cuba at an early day; we should compete with the North in the colonization of new territories to the extent of population and capacity; we should sink the *partizan* in the PATRIOT, and stand by the Union, in the Union for the love of it; we should come together in one solid column under the leadership of a single captain, and make at least one more effort for the redress of all existing wrongs and the removal of the causes that threaten future calamities.

7th. *Resolved*, That we entreat South Carolina to stay her hand, and take counsel with the other slaveholding states for the common safety; but that if she disregards our entreaties and goes out of the Union, we do not feel bound to imitate her example.

8th. *Resolved*, That we fully indorse President Buchanan's late views upon nullification and secession; that we will stand by the Union, insisting upon the faithful execution of the provisions of the constitution, with all its guarantees, by all sections of the nation, until our grievances become more intolerable than revolution.

Said resolutions were read; and,

On motion of Mr. Carrigan, referred to the committee on federal relations.

On motion of Mr. McCreery, the name of Mr. Gray was added to the committee on federal relations.

Mr. Pennington presented the two following series of resolutions, from a mass meeting held in Clark county, the last of which was adopted in said meeting:

WHEREAS, The people of the northern or free states of this confederacy have elected Abraham Lincoln president of the United States solely upon the ground of his hostility and opposition to the institution of slavery, thereby confirming the determination heretofore evinced on their part, to no longer regard our rights or their constitutional obligation; and whereas, some of our sister southern states have recommended separate conventions preparatory to a southern convention for the purpose of taking common council in order to protect our rights—therefore, the people of Clark county in primary meeting assembled, hereby ignore all past party names and issues, and cordially unite in the following resolutions:

1. *Resolved*, That we recommend to the legislature of this state the passage of such laws as may be necessary for assembling a state convention for the purpose of considering the momentous questions which now agitate the public mind.

2. That we recommend the assembling of a southern convention, to be composed of delegates from each slaveholding state, as shall choose to be represented, and that said convention shall have all necessary powers to do such acts and things as shall be by them thought necessary to protect the rights of the South.

3. That we earnestly recommend such measures as shall unite the South, and to this end, in case a southern republic be determined upon, recommend such a constitutional provision as shall protect the rights of the border states.

The minority report, as introduced and read by Gen. Wither-
spoon, was as follows, viz:

WHEREAS, In this momentous crisis in the affairs of the nation it becomes the duty of every patriot and patriotic community to speak forth their sentiments, and declare what they should think best to be done in this serious emergency; therefore, we the people of Clark county, in mass meeting assembled, do adopt as the sentiments of this county, the following resolutions:

1. *Resolved*, That we are in favor of preserving our present great and glorious Union, provided it can be done with honor and safety to the South and southern institutions.

2. We are in favor of exhausting all honorable means to save this Union, and in order to do this more effectually and promptly, would recommend a convention to be called by our state legislature for the purpose of agreeing upon some general plan of action.

3. We would further give it as our opinion that the only hope now of saving the Union, is through a general convention of the southern states, made up of the wisest, ablest and most prudent statesmen, selected by the conventions of the different states; whose duty it should be, when convened, to agree upon the least demands that the South should make to the North consistent with her safety, and submit the same as a firm and united South to our northern brethren as our *ultimatum*.

4. *Resolved further*, That unless the North should be willing to accept such *ultimatum*, or grant us such measures of redress, and such guarantees as will insure our safety in the Union, and a final settlement of the agitation of the slavery question, we are in favor of forming a separate republic, composed of all slave states.

5. That we are of opinion that the time has come when a decided position should be taken; but we consider calm deliberation much more expressive than hasty action, however tem-

pestuous may be the enthusiasm manifested. Such a people as those of the South, united in a firm, decided, unwavering determination to maintain their rights, carry a moral force that is irresistible; and possesses a physical strength that is invincible.

6. Grant that any hope exists, and the duty of trying every alternative before the disruption of the government becomes plain; self-interest, humanity, a due regard for the opinion of the world to which the action of all communities on such grand and serious matters is amenable; patriotism and even final success of extreme measures, if they must at last be adopted, enforce this duty; for we thereby place ourselves right on the record, and can appeal with confidence to the civilized world to sustain us in our action in breaking up the most magnificent republic the world ever saw.

7. That it is the duty of our state conventions to see all means of safety short of revolution exhausted before that is adopted. That the times call for the profoundest wisdom of the states, for men of the purest character, the soundest judgment and coolest determination, on all such bodies.

8. That the secretary of this meeting forward a copy of the proceedings of this meeting, and these resolutions to the True Democrat for publication.

Said resolutions were read; and

On motion of Mr. Pennington, referred to the committee on federal relations.

The following message was received from the House of Representatives by their clerk:

Mr. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have passed substitute House bill No. 208, entitled an act to encourage internal improvements.

Said bill is herewith transmitted for the assent of your honorable body, which is respectfully asked.

S. M. SCOTT, *Clerk*
House of Reps.

On motion of Mr. Terry, the names of Messrs. Oates and Trimble, were added to the committee on federal relations.

On motion of Mr. Clark, the names of Messrs. Fagan and Carrigan, were added to the committee on federal relations.

Mr. Askew moved that those senators, not already added to the committee on federal relations, be added thereto, and that the same be made a committee of the whole.

Mr. Oates offered to amend said motion by adding "and that the present committee be instructed to report to-morrow morning."

Mr. Terry offered the following resolution as a substitute for said motion.

Resolved, That the committee on federal relations be made a committee of the whole on the state of the Union, with instructions to sit in the Senate chamber to-morrow, at 11 o'clock, a. m.

Which resolution was read, and Mr. Rosson offered to amend by striking out 11 o'clock, a. m., and inserting 2½ o'clock, p. m.

Which amendment was accepted by Mr. Terry.

Mr Oates called for the yeas and nays, on the adoption of the resolution, as amended, which call was sustained.

(Mr. Watkins asked and obtained leave of absence on account of indisposition.)

The question on the adoption of the resolution was stated and debated, but before the vote was taken thereon, the Senate,

On motion of Mr. Carrigan, adjourned until 9½ o'clock, to-morrow morning.

THOS. FLETCHER,
President.

TUESDAY, *January 1st*, 1861.

The Senate met pursuant to adjournment.

Roll called.

P R E S E N T :

Messrs. Askew, Carrigan, Clark, Craighead, Davies, Douglas, Fagan, Gray, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—21.

The journal of yesterday was read, approved and signed.

Mr. Fagan, from the committee on enrollments, made the following

REPORT:

Mr. PRESIDENT—

The committee on enrollments, have examined the following acts and instruct me to report the same as correctly enrolled:

“An act to amend chapter 111, page 765, of the Digest of this state.”

“An act for the relief of T. J. Warner, of Lawrence county, and Arthur Crawford, James Winn, J. M. Winn, Pinkney Cantrell, Thos. Gilstrap and C. G. Gilbreath, of Washington county.”

“An act to incorporate the Presbyterian church of Washington, Hempstead county, Arkansas.”

“An act to incorporate the Arkansas Synodical College, at Arkadelphia.”

“An act to incorporate the Franklin Male Institute, at Ozark, Arkansas.”

FAGAN, *Chairman.*

Mr. Fagan, from said committee, also, made the following

REPORT:

Mr. PRESIDENT—

The committee on enrollments have examined a resolution to furnish certain counties with reports of decisions of Supreme Court, and find same correctly enrolled.

FAGAN, *Chairman*
Committee on Enrollments.

Mr. Fagan, from said committee, also made the following

REPORT:

Mr. PRESIDENT—

I have the honor to report that, on the 31st day of December, 1860, I handed to the governor, for his consideration, the following acts, to-wit:

“An act to amend chapter 111, page 765, of the Digest of this state.”

“An act for the relief of T. J. Warner, of Lawrence county, and Authur Crawford, James Winn, J. M. Winn, Pinkney

Cantrell, Thos. Gilstrap and C. G. Gilbreath, of Washington county."

"An act to incorporate the Presbyterian Church of Washington, Hempstead county, Arkansas."

"An act to incorporate the Arkansas Synodical College, at Arkadelphia."

And "an act to incorporate the Franklin Male Institute, at Ozark, Arkansas."

Also, a resolution to furnish certain counties with reports of decisions of Supreme Court.

FAGAN, *Chairman*
Committee on Enrollments.

Said reports were received.

Mr. Oates presented the following resolutions adopted by a mass meeting in Monroe county, to-wit:

WHEREAS, In the present important crisis in public affairs, in order that the sentiments of all the people may be obtained, it is necessary and proper that every community throughout the southern states should make known their views on matters in which each individual is so vitally interested; we, the citizens of Monroe county in mass meeting assembled, hereby declare the following to be our views and sentiments, and to this end be it

Resolved, 1st. That we regard the election of Abraham Lincoln to the presidency by an exclusively sectional vote, predicated upon a deep rooted and long cultivated hostility to southern institutions by the people of the North, as but the realization of the fears and predictions of the father of his country in his farewell address to the American people, to-wit: that such a consummation would end in the severance of these states.

Resolved, 2d. That any people of a sovereign government who would consent to commit their destinies to the rule and direction of a power deriving its source in a section foreign to it by locality and antagonistic to it in interest, and hostile to it in feeling, are unworthy of the name of freemen, and in reality slaves.

Resolved, 3d. That we regard the recent action of the convention of the people of the sovereign state of South Carolina, as the exercise of a reserved and inalienable right of the states composing the confederacy, to-wit: the right to judge of infractions of the constitution as well as the mode of redress, each state for itself being only responsible to the federal government for their acts as any other sovereign independent government, and that it is not the official duty of the federal government to exercise coercion against a seceding state without regard to

the justice of her action in taking such a separate existence, and that the converse of this doctrine would have justified the action of the British government in their attempt to coerce the colonies in the American revolution.

Resolved, 4th. That South Carolina had good and sufficient cause to justify her in the severance of the ties that had previously bound her to the Federal Union, and that every southern state is indissolubly bound with her destiny, and that her success will be but the success of the South, and her failure but our failure, and that her conquest or coercion would be but the enslavement and subjugation of the whole South to the abolition fanatical power of the North, and in such a contingency, we would feel that every interest of the South would be at the discretion of the North, and that representatives of southern states who counsel such coercion should be regarded as base traitors to their country, and that their names should be infamous.

Resolved, 5th. That under the present state of affairs, the only safe or practical course for the South to pursue, is the separate secession of each state for itself, to take effect on the 4th day of March next, with the ordinance of secession conditioned that if the North will consent by that time to give us good and sufficient constitutional guaranties of our rights and our honor, to-wit: The faithful execution of the law requiring the return of fugitives from justice, and of fugitive slaves, an efficient protection of our persons and property in the territories; and an equal participation in the same; our rights of property and person to be protected in the District of Columbia, in the forts, in the dock yards, or upon the high seas, or wherever else the federal authority may exclusively extend; non-interference with the slave trade between the different states or in the same; no tariff except on strictly a revenue standard; no internal improvements by the general government, except for general defence or the improvement of the harbors and rivers traversing the different states with specified limitations, and a constitutional guarantee for the future; that in the election of a president and vice-president of these United States, before they should be declared elected, that they should receive a plurality of the electoral vote of both slave and non-slaveholding states, or failing in this, a plurality of the representatives in the House or of the senators of both sections in addition to the present regulations of the constitution or the equivalent of these specifications, or such guarantee as may be agreed upon by a convention of the southern states, provided one should be assembled, then, and in that event, the ordinance of secession or the government established by it to cease its force and effect, otherwise provision to be made for the union of the seceding states and means of defense provided for.

Resolved, 6th. That we most cordially and unequivocally indorse the views of the chief executive of this state, as set forth in his recent special message to the legislature, and that we further indorse the action of the House of Representatives in the passage of the bill calling a state convention, and that we urge the adoption of the same by the Senate; and further, that we particularly urge upon the legislature, the necessity of making ample provision for the complete arming and equipping of the militia of this state.

Said resolutions were read, and on motion of Mr. Oates, referred to the committee on federal relations.

Mr. McColloch presented the following resolutions adopted at a railroad meeting in Calhoun county, to-wit:

WHEREAS, The Memphis and Little Rock railroad now under construction from the city of Memphis, in the State of Tennessee, to the city of Little Rock, in the State of Arkansas, is a work of pre-eminent prospective public utility; *And whereas*, the said road in its central position tends greatly to open up the wide and immense resources of our young commonwealth, and at the same time give us direct and uninterrupted intercourse by railway with many of our sister states; *And whereas*, the time has nearly expired at which time the grant of lands to said road to the Mississippi river, to a stated point on said road, must revert to the grantor in the absence of the completion of said road within a decade, from the date of said grant, according to the specific stipulations of the same; therefore

Be it resolved by this meeting, That the immediate completion of said road is demanded by various interests.

Resolved, That we hereby ask the legislature of the State of Arkansas to authorize the governor of said state, to subscribe the sum of one hundred and fifty thousand dollars in the Memphis and Little Rock railroad company, to be paid on the demand of said company, out of any money in the treasury not otherwise appropriated.

Said resolutions were read, and on motion of Mr. McColloch, referred to the committee on internal improvements.

Mr. Askew presented the following resolutions adopted by a mass meeting of the citizens of Union county, to-wit:

WHEREAS, It being evident that the North not being content with violating the compact of the constitution, as well as the comity of nations between themselves and the South as independent sovereignties, and time and again refusing their assent to that law of Congress commanding the rendition of fugitive slaves, and absolutely nullifying it in various ways, nine or

more of them having denied by positive statutes the authority of such a law, the remainder obstructing its execution in some form or other, thereby robbing the South annually of five hundred thousand dollars worth of slave property; without the possibility of redress in the Union; they have incited the negroes to insurrection, burned our towns, poisoned our wells, distributed poison among the negroes of the southern states with which to poison their masters; trampled upon the decisions of the supreme court that were in favor of slavery in the South, murdered or imprisoned, and imposed fines upon our citizens when attempting to regain fugitive slaves from the northern states; they have called upon the non-slaveholders of the South to aid them in their infamous designs; they have formed societies, and sworn their members that they will never cease to war upon the South until slavery is extinct, and to surround the South, if in their power, with free states, so that slavery, like an adder in flames, will sting itself to death; they have murdered our citizens in the territories; they once took possession of an arsenal in Virginia, have caused San Domingo's scenes of blood shed and horror to be again enacted in the same state; they have heaped ungenerous and hellish epithets upon the slave holders of the South, denounced them from the sacred desk, both upon the sea and land, at home and abroad, from the political stand, from the press, from every place of discussion and private station; they have divided all the orthodox churches of the Union, thereby unchristianizing and denouncing the southern christians as heretics, manstealers, and hell-deserving people, declaring that there must be an anti-slavery God, Bible and constitution; and now to complete their ungod-like purposes, they have elected over all conservative men, a man to occupy the highest position in the gift of the American people--Abe Lincoln as president of these United States, who has pledged himself to carry out the principles of the republican party, which will fast hasten the ultimate doom which awaits the South in the Union, unless averted by the southern people; therefore be it

Resolved, 1. That we, the citizens of Union county, do recommend to the legislature of this state to authorize the governor to call a convention immediately, to obtain the will of the people of the state in regard to the present political issues which are now shaking the government to its very center, and to determine upon what course should be pursued by this as one of the slave holding states in regard to the great issues that now await us.

2. That our representatives in Congress from this state, be instructed to do all in their power to bring about a reconciliation or speedy adjustment of affairs between the two sections of the government, in such a manner that the South may main-

tain all her rights guaranteed to her under the constitution, and be never again proscribed by the North, and that the wrongs done the South as set forth in the above preamble, be redressed before the fourth of March next.

3. That believing that South Carolina has even now dissolved her connection with the federal government, and believing that Alabama, Mississippi, Georgia, Florida and Texas will do likewise, we, a portion of the citizens of the State of Arkansas, pledge our lives, our fortunes, and our sacred honors, to sustain them against coercion by the federal government or any other power.

4. That we acknowledge and hold the right of a state to secede at will, and that we cordially sympathize with South Carolina, Mississippi, Georgia, and other southern states, which expressed a determination not to submit to the domination of the republican party, and that the *State of Arkansas should not submit.*

5. That our representatives in the legislature be instructed to vote such appropriations, and make such provisions as will fully organize, arm and equip the militia.

6. That the secretary be requested to forward as speedily as possible, a copy of these proceedings to his excellency, governor Henry M. Rector, and to our representatives in the Senate and House of our legislature.

Said resolutions were read, and on motion of Mr. Askew, referred to the committee on federal relations.

The following message was received from the House of Representatives by the clerk:

Mr. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have passed the following House bills, to-wit:

No. 227, to be entitled an act to permanently locate the county seat of Fulton county.

No. 229, to be entitled an act to incorporate the Spring Hill Male and Female Seminary.

No. 231, to be entitled an act concerning swamp lands.

No. 232, to be entitled an act for the relief of Samuel P. Wycough.

No. 233, to be entitled an act to repeal an act entitled an act to exempt the citizens living west of Red river, in Lafayette county, from serving on the grand and petit juries.

No. 235, to be entitled an act to amend the charter of the Memphis and Little Rock railroad company.

No. 237, to be entitled an act to repeal an act entitled an act to repeal an act entitled an act declaring Pettit Jean a navigable stream.

No. 239, to be entitled an act to provide for the election of a tax assessor in Lafayette county.

Said eight House bills are herewith transmitted for the assent of your honorable body, which is respectfully asked.

The House of Representatives have concurred in Senate amendment to House bill No. 113, entitled an act to amend the 8th section of an act approved the 12th of February, 1859, entitled an act to remove the free negroes and mulattoes from this state; said amendment being to strike out the 5th section.

The House of Representatives have passed Senate bill No. 80, entitled an act amendatory of an act for the benefit of the citizens of township sixteen north of range one west, approved 5th February, 1859.

Said bill is herewith returned.

S. M. SCOTT, *Clerk of
House of Representatives.*

On motion of Mr. Fagan, House bill No. 208, to be entitled "an act to encourage internal improvements," was taken up and read the first time.

On motion of Mr. Miller, the rules were suspended, the bill read the second time by title.

Mr. Rosson moved to refer the bill to the committee on internal improvements.

Several senators opposed said motion, and urged that the bill be passed without a reference, when a discussion arose as to the propriety of passing the same before the House had taken action upon Senate bill to aid in the construction of the Memphis and Little Rock railroad.

Pending said discussion, the following message was received from the House of Representatives:

Mr. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have rejected Senate bill No. 98, to be entitled "an act to aid in the construction of the Memphis and Little Rock railroad."

Said bill is herewith returned.

S. M. SCOTT, *Clerk of
House of Representatives.*

The motion to refer the bill under consideration, (House bill No. 208,) was then put to a vote and lost.

On motion of Mr. Oates, the rules were suspended, and the bill read the third time.

After some debate, Mr. Oates offered to amend the bill by adding the following proviso to the first section:

Provided, That the said railroad company shall be required to move the office of said company, with all the books and papers appertaining thereto, to the city of Little Rock, before they shall be allowed to draw said amount of money hereby appropriated from the treasury, and that the books and papers of said company shall always be open to the inspection of the governor, auditor and General Assembly of the state.

The President decided said amendment out of order, the bill having been read the third and last time.

Whereupon, Mr. Oates moved to reconsider the vote ordering the bill to its third reading; which motion was lost.

The question on the passage of the bill was then stated, when Mr. McCreery called for the yeas and nays thereon, which call was sustained and ordered with the following result:

YEAS—Messrs. Askew, Carrigan, Clark, Craighead, Douglas, Fagan, Gray, McColloch, Mecklin, Miller, Oates, Pennington, Terry, Trimble, Ward and Watkins—16.

NAYS—Messrs. Davies, McCreery, Mitchell, Rosson and Mr. President—5.

So the bill passed.

Mr. Carrigan offered the following joint resolution, to-wit:

WHEREAS, The President of the United States has issued a proclamation, appointing Friday, the 4th of January, 1861, as a day of fasting, humiliation and prayer, to avert the alarming immediate political danger and fearful distress; and in this hour of calamity and peril, to whom can we look but to God alone; therefore,

Be it resolved by the Senate, the House of Representatives concurring, That the General Assembly of the State of Arkansas do take a recess on Friday next, the 4th of January, in order that the members of the General Assembly have an opportunity of attending divine worship in any of the churches of this city, and complying with the proclamation of the President of the United States.

Said resolution was read the first time.

On motion of Mr. Carrigan, the rules were suspended, the resolutions read the second time, and on his further motion, adopted.

The following message was received from the governor:

Mr. PRESIDENT—

I am instructed by the governor to inform your honorable body, that, on the 31st day of December, 1860, he approved and signed "an act to incorporate the Arkansas Synodical College at Arkadelphia."

"An act for the relief of F. J. Warner, of Lawrence county, and Arthur Crawford, James Winn, J. M. Winn, Pinckney Cantrell, Thomas Gilstrap, and C. G. Gilbreth, of Washington county."

"An act to incorporate the trustees of the Presbyterian Church, of Washington, Hempstead county, Arkansas."

"An act to incorporate the Franklin Male Institute, at Ozark, Arkansas."

"An act to amend chapter one hundred and eleven, page 165, of the Digest of this state."

And Senate joint resolution requiring the secretary of state to furnish certain books, etc., for the clerk's office of Carroll county, and also the clerk's offices of the counties of Mississippi, Scott and Perry."

W. M. MATHENY,
Private Secretary.

January 1st, 1860.

Mr. Clark, from the committee on education, made the following

REPORT:

Mr. PRESIDENT—

The committee on education, to whom was referred the resolution of Senator Trimble, requesting the committee to examine the school laws of this state, and suggest such amendments and alterations thereto as should be thought expedient, have had the same under consideration, and after a patient examination of the subject, and a careful comparison of our common school system with that of other states, where common schools have been most successful and efficient, and have instructed me to report the accompanying bill and recommend its passage.

CLARK, *Chairman.*

No. 116. A bill to be entitled "an act to amend the common school laws; to create the office of state superintendent of common schools, and to define his duties."

SECTION 1. *Be it enacted by the General Assembly of the State of Arkansas, That the special school law of the counties of Pulaski, Izard, Fulton, Marion, Searcy, Bradley and Van Buren, as found in Gould's Digest, pages 1003 to 1012, inclusive, be, and the*

same is hereby adopted as the general common school law for the State of Arkansas, with the following amendments, eliminations and additions:

SEC. 2. *Be it further enacted*, That from and after the passage of this act, the county courts of the several counties of this state shall have a general jurisdiction, supervision and control of all matters pertaining to common schools in their several counties.

SEC. 3. *Be it further enacted*, That there shall be elected by the qualified voters in each congressional township in the several counties of this state, [whenever a majority of the householders residing in said congressional township may desire to have the sixteenth section in their township sold or leased, for the purpose of organizing and establishing common schools therein,] one common school commissioner, who shall hold his office for the term of two years, and until his successor is elected and qualified; *Provided*, That there shall then be at least fifteen white children in such township over seven and under twenty years of age.

SEC. 4. *Be it further enacted*, That it shall be the duty of the county court of the several counties, at the next, or any succeeding term after the passage of this act, to appoint two justices of the peace, [either of whom may act,] in each township in the county, who shall hold an election in the several congressional townships in their respective townships, for one commissioner in each congressional township. Said election shall be held by said justice, or justices, giving notice at least ten days previous to the election, by posting up three or more advertisements in the most public places in the congressional township where the election is to be held, and shall be conducted as may be directed, from time to time, by the county court, and said justice, or justices, shall certify to the county court the result of such election.

SEC. 5. *Be it further enacted*, That said justice, or justices, shall, on or before the first Monday in October of each year, furnish the commissioner of his or their township, with an abstract statement of the whole number of white children, males and females, over seven and under twenty years of age, in his or their several townships or school districts.

SEC. 6. *Be it further enacted*, That said commissioner shall, before entering on his duties, take an oath to support the constitution of the United States, and of this state, and faithfully to demean himself in office, and shall enter into bond to the state of Arkansas, for the use of said township, with good and sufficient security, in a penal sum of not less than five hundred dollars, conditioned that he will faithfully, and to the best of his skill and ability, discharge all the duties required of him by law; appropriate all moneys that may come into his hands as

such commissioner to the support of a common school or schools in said township, and that he will account for and pay over to his successor in office, all moneys which may remain in his hands unexpended for the purposes aforesaid; which bond shall be approved by the county court of the county in which he resides, in term time, or by the presiding judge of said court, in vacation, and shall be filed in the office of the clerk of said court for safe keeping; a copy of which shall be evidence in all the courts of this state.

SEC. 7. *Be it further enacted*, That after the election and qualification of said township commissioner, as aforesaid, it shall be the duty of the county court of the county in which said commissioner resides, upon the petition and application of a majority of the householders residing in said township made to and filed in such county court, setting forth their desire that the sixteenth section in the township may be sold for the purpose of establishing common schools in said township, to make an order directed to said commissioner, requiring him to sell at public auction, to the highest bidder, on a credit of ten years, said 16th section, or any part thereof not reserved from sale by the order of said court, in tracts of forty acres, as near as may be, made by a line running north and south, another running east and west, through each quarter section thereof; *Provided*, That no part thereof shall be sold for a less sum than three dollars an acre. Said order of the county court shall designate the time and place of sale, and require the commissioner to give notice of the time, place and terms of the sale, by at least six advertisements set up in the most public places in his county, at least thirty days before the day of sale.

SEC. 8. *Be it further enacted*, That if any part of said sixteenth section shall fail to bring three dollars an acre, such part shall be subject to private entry for one year at that price, and after the expiration of twelve months after it shall have been offered for sale, as hereinbefore provided, the part remaining unsold shall graduate and then be subject to private entry, for one year at two dollars an acre, and after the expiration of that year, shall again graduate and be subject to private entry for a year at one dollar an acre, and at the expiration of three years after it shall have been publicly offered for sale, it may be again so offered, and may sell for what it will bring.

SEC. 9. *Be it further enacted*, That if any sixteenth section lies contiguous to any town, village or city, and the householders of the congressional township containing said section shall desire to lay off said section, or any part thereof, into town lots, it shall be the duty of the county court of the county in which said section is situated, upon the petition of a majority of said householders, to make an order requiring the commissioner of said township, to lay out said section, or any part thereof, as

said court may direct, into town lots, and then proceed to sell said lots in the same manner as is prescribed in the preceding section.

SEC. 10. *Be it further enacted*, That if a majority of the householders of any congressional township shall desire that the sixteenth section of their township shall be leased for a term of years, it shall be the duty of the county court of the county in which said section is situated, upon the application and petition of a majority of said householders, to direct the commissioner of said township to lease said section, or such part thereof as the court may deem proper, at such time and place, and on such terms as the court may deem best.

SEC. 11. *Be it further enacted*, That it shall be the duty of the clerk of the county court, making such order for the sale or lease of such sixteenth section, within ten days after the adjournment of said court, to make out and deliver to the sheriff of said county, to be served by him on the commissioner of said township, a certified copy of such order of said court, and thereupon said commissioner shall proceed to execute the same, and shall make a full return and report of his proceedings and acts in the premises, to said court, at the next term thereof, stating what part, if any, of said section he has leased or sold, and on what terms; and should said commissioner fail to sell or lease said sixteenth section, or any part thereof, said county court may renew its orders and directions in relation to selling and leasing the same, to the said commissioner, from time to time, until the same be disposed of.

SEC. 12. *Be it further enacted*, That, upon the sale of the sixteenth section, or any part thereof, by said commissioner, it shall be his duty to take from the purchaser thereof a bond to himself as such commissioner, to be approved by the presiding judge of the county court, with good and sufficient security for the payment of the purchase money within ten years from the date thereof, with interest at the rate of ten per centum per annum, payable semi-annually, in advance. The bond to be executed by the purchaser, shall be, as near as may be, in the following form:

STATE OF ARKANSAS, }
COUNTY OF _____ } SCT.

Know all men by these presents, that we, A. B. and C. D., acknowledge ourselves to owe and to be indebted to E. F. as commissioner of township——, —— of the base line, in range —— of the fifth principal meridian, in —— county, and to his successors in office, in the sum of —— dollars, payable within ten years from the date hereof, with interest on said sum, at the rate of ten per centum per annum, payable semi-annually, in advance, for the payment of which, both principal and interest, well and truly to be made, we bind ourselves, our

heirs, executors and administrators and all of them, firmly by these presents.

In testimony whereof, we hereto subscribe our names, and affix our seals, on this, the — day of — A. D. 18—.

A. B. [Seal.]

C. D. [Seal.]

Which bond, so executed, shall be deposited by said commissioner in the office of the clerk of the county court of the county for safe keeping.

SEC. 13. *Be it further enacted*, That said commissioner, on the sale of the sixteenth section, or any part thereof, shall execute to purchasers a certificate of purchase which shall be, substantially in the following form:

STATE OF ARKANSAS, }
COUNTY OF ———. } SCT.

This is to certify that A. B. has this day purchased at public auction, [or otherwise, as the case may be] as part of the sixteenth section of land in township ———, ——— of the base line, in range ——— ——— of the fifth principal meridian, the ——— ——— of the ——— quarter of said section sixteen, containing according to the public surveys of the United States ——— acres of land, at the rate of ——— dollars an acre, amounting in the aggregate, to the sum of ——— dollars. Therefore, I, C. D., the duly elected and qualified commissioner to sell said sixteenth section, do make known that on full payment being made of the said sum of ——— dollars, within ten years from the date hereof, in good and lawful money, such as is made or may then be made by the State of Arkansas, legal tender, with interest on said sum of money at the rate of ten per centum per annum, payable semi-annually, in advance, in conformity with a certain bond bearing even date herewith, executed by the said A. B. to me as such commissioner and my successors in office, said purchaser, his heirs or assigns, will be entitled to a deed in fee simple, for said tract of land.

In testimony whereof, I, C. D. as such commissioner, hereto subscribe my name and affix my seal, this — day of —, A. D. 18—.

C. D., Commissioner. [Seal.]

And a duplicate of such certificate shall be filed by said commissioner, in the office of the clerk of the county court of his county, and such certificate shall entitle the purchaser, his heirs or assigns, to a deed for the land therein described, on full payment of the purchase money and interest due thereon, in the manner hereinafter mentioned.

SEC. 14. *Be it further enacted*, That no school commissioner shall make, to any purchaser, a deed for the land described in his certificate of purchase aforesaid, until said purchaser, his heirs or assigns, shall have paid into the treasury of the proper county, the full amount of purchase money and interest thereon

due and obtained from the treasurer of said county, duplicate receipts therefor, one of which shall be filed in the office of the clerk of the county court of the county, and the other indorsed on the certificate of purchase; and until the purchaser shall produce the order of said county court, stating and certifying the full payment of the purchase money and interest due on said bond, into the county treasury, as aforesaid, and directing said commissioner to make said deed in accordance with said certificate of purchase.

SEC. 15. *Be it further enacted*, That on the delivery of such order of said court, duly certified under the seal of said court, together with the certificate of purchase, with the treasurer's receipt thereon indorsed, as aforesaid, to the commissioner in office, said commissioner shall thereupon execute, acknowledge and deliver a deed in fee simple, for the land described in said certificate of purchase, to said purchaser, his heirs or assigns.

SEC. 16. *Be it further enacted*, That it shall be the duty of the purchaser of any part of the sixteenth section, his heirs or assigns, to pay into the treasury of the county wherein said section lies, the interest on the purchase money thereof, from time to time, as the same may fall due, according to the bond of such purchaser deposited in the clerk's office of the county court of said county, as aforesaid, and to obtain duplicate receipts therefor, from the treasurer of said county, one of which shall be filed in the office of the clerk of the county court of said county.

SEC. 17. *Be it further enacted*, That it shall be the duty of the treasurer of each county, on the payment of any money into the treasury of his county for the use and benefit of schools, to give duplicate receipts therefor, in which he shall state to the use and credit of which congressional township, in his county, such money has been paid; and said treasurer shall keep a well bound book, in which he shall open an account current with each congressional township in his county, whose sixteenth section has been leased or sold, in which accounts he shall charge himself with all moneys received by him and receipted for as aforesaid, for the use of schools in said townships, respectively; and shall also credit himself with all sums of money legally disbursed to each of said townships, respectively; and it shall also be the duty of the treasurer, at the time of making his annual settlement with the county court of his county, to make settlement with said court for all moneys received and disbursed by him on account of common schools, in the several congressional townships in his county, and such settlement shall be duly audited by the clerk of said county court.

SEC. 18. *Be it further enacted*, That said county treasurer shall in no case, pay out or disburse any money in his hands, belonging to any congressional township in his county, for the

use of schools, to the school commissioners thereof, or to any person whomsoever, without the order of the county court of his county, and a warrant, in due form, on the treasurer of said county, issued in conformity to said order, by the clerk of said court.

SEC. 19. *Be it further enacted*, That it shall be the duty of the clerk of the county court of each county to keep a well bound book, in which he shall open accounts current between the treasurer of his county and the several congressional townships in his county, whose sixteenth sections have been sold or leased, in which accounts the clerk shall charge said treasurer with all sums of money received by him for the use of common schools in said townships, as may appear from the duplicate receipts of said treasurer, filed in the office of said clerk, under the provisions of this act.

SEC. 20. *Be it further enacted*, That whenever there shall be in the county treasury of any county any money arising from the sale or lease of the sixteenth section of any congressional township in said county, it shall be the duty of the treasurer of said county, under the order and direction of the county court of said county, to loan out said money at ten per centum per annum, payable semi-annually in advance, for any length of time prescribed by the order of said county court, and to take bonds, mortgages, or deeds of trust on lands or negroes, to secure the prompt payment of such loan and all interest which shall accrue thereon; such bonds, mortgages, or deeds, to be approved, in all cases, by the presiding judge of said county court and then filed for record and safe keeping in the clerk's office of said county.

SEC. 21. *Be it further enacted*, That whenever there shall be a sum in the county treasury of any county, arising as interest on the proceeds of the sale of the sixteenth section, in any congressional township in said county, or which shall have accrued by leasing said section, sufficient to organize and establish a common school or schools in said township, it shall be the duty of the county court of said county to cause warrants to be drawn on the treasurer of said county, in favor of the school commissioner of said township, for said sum, and from time to time, for all interest on the principal to the credit of said township, on the books of said treasurer, as the same may accrue; and said commissioner, after having received said money, with which private contributions may be united, shall proceed to open, organize and establish a school or schools in his township; to build or cause to be built, a school house or houses and to employ such teacher or teachers, as shall produce from the clerk of the county court, or from the examining committee, or any one of them, a certificate of his scholarship, good moral char-

acter, and qualifications to teach and conduct a township school.

SEC. 22. *Be it further enacted*, That said commissioner shall be required, at least twice in the term of five months, to visit the school or the schools of his township and shall require the teacher or teachers of said township school or schools, to examine his or their pupils, in his presence, and in that of such of the examining committee as said commissioner may select to assist him; and said commissioner shall, at any time, have the power to dismiss such teacher or teachers, for incompetency or for gross or immoral conduct.

SEC. 23. *Be it further enacted*, That the judges of the several county courts of this state shall examine such persons as may apply for the situation of teacher of any of the common schools of the several townships of his county, or said court may appoint a committee of examination, consisting of five suitable persons, any one of whom may examine the applicants and if such applicant or applicants, shall be found competent to teach, and of good moral character, said court, or the examining committee, or any one of them, shall give him or them a certificate of his or their competency, which certificate shall be evidence to the commissioners of the several townships of the county in which it was given, of the qualifications and deportment of said teacher or teachers.

SEC. 24. *Be it further enacted*, That the county treasurer of each county shall be ex-officio, treasurer of common schools in his county, and before he enters upon the duties of his office, shall enter into bond, with good and sufficient security, to be approved by the county court of his county, to the State of Arkansas, in a penal sum double the amount of the school fund of said county, conditioned for the faithful discharge of his duties as such treasurer, which bond shall be for the use of common schools of the proper county.

SEC. 25. *Be it further enacted*, That it shall be the duty of the school commissioner of each congressional township to make settlement with the county court of his county, at the same time when the treasurer of said county shall make his settlement with the said court, as required by the provisions of this act; and said county court shall ascertain what amount of money has been drawn out of the treasury of said county by said commissioner, and said commissioner shall produce satisfactory vouchers and receipts, showing the manner in which he has appropriated and disbursed said sum of money to the support of schools in his township, and said settlement shall be duly audited by the clerk of said county court.

SEC. 26. *Be it further enacted*, That it shall be the duty of said commissioners, at the time of making their annual settlement with their respective county courts, as aforesaid, to file a

written report, showing the true condition of the schools in their several townships, embracing in such report the number of common schools; the number of teachers employed, both males and females; the number of pupils registered, males and females, over seven and under twenty years of age; the price of tuition for a term of five months; the average number of months taught; the amounts paid to teachers, and such other information as said commissioner may deem it necessary to communicate to said court or that said court may require of him.

SEC. 27. *Be it further enacted*, That the clerks of the county courts of the several counties of this state, shall, on or before the first Monday in October, of each year, make out and transmit to the state superintendent of common schools, a report of the common schools in his county, embracing in such report, in tabular form, the several reports of the respective township commissioners of his county.

SEC. 28. *Be it further enacted*, That it shall be the duty of the county court to give, from time to time, to the respective school commissioners in their counties, such orders, directions and instructions, in relation to the organizing and establishing of common schools in their respective townships, and as to the management and control of the same, as such courts may in the exercise of a sound discretion, deem just, equitable and expedient.

SEC. 29. *Be it further enacted*. That it shall be the duty of the county court of each county to provide a well bound record book, in which all minutes, orders, and settlements of said court, made in relation to schools in their respective counties, shall be faithfully entered by the clerk and signed by the presiding judge of said court.

SEC. 30. *Be it further enacted*. That the clerks, commissioners, sheriffs and treasurers, shall be paid a moderate compensation for any service rendered by them in relation to schools—such compensation to be allowed and adjusted by the county court and paid out of the county treasury.

SEC. 31. *Be it further enacted*, That it shall be the duty of the several county courts to order all county common school commissioners who shall be in office at the taking effect of this act, or other person or officer having any of the same in possession or custody, to deliver all moneys in their hands to the treasurers of their respective counties, and all bonds, papers and documents in their hands or possession, pertaining to schools in their county or township, to the clerks of the county courts of their respective counties, who shall give duplicate receipts for the same, one of which shall be presented to the county court at the next term thereof, and said court shall order

the clerk to file said receipt, and to charge the treasurer with all moneys coming into his hands.

SEC. 32. *Be it further enacted*, That under the orders and directions of the county courts of the several counties, it shall be the duty of the commissioners of schools, or treasurers of said counties, as the case may be, to institute and prosecute to final judgment and execution all suits necessary for the collection of any moneys which may be due to any congressional township in their respective counties, for the use of schools therein, and it shall be the duty of the prosecuting attorneys of the several judicial circuits to conduct said suits free of charge.

SEC. 33. *Be it further enacted*, That all funds which may be hereafter distributed to the several counties for school purposes, arising from the proceeds of the seminary and saline lands of this state, and also all moneys arising from escheats of real or personal property in said counties, respectively, and all state and county funds arising from licenses granted to peddlers and hawkers, tavern-keepers, grocery-keepers, and owners of ten-pin alleys and billiard tables, and from penalties on estray bonds, shall, when collected, be paid into the county treasury of the proper county, and the county court of any county may, if deemed by it advisable, at any time, appropriate such funds to paying the tuition of such pupils, both males and females, as may desire to educate themselves for teachers of common schools; *Provided*, That individuals shall by contribution, secure to the county court of such county, a deed in fee simple to five acres of land, with a suitable house thereon, for the use and benefit of one normal school in said county, as nearly central as may be practicable, due regard being had to health, convenience, and other natural and artificial advantages of said site, so as to promote the general interests of common schools. And in the event that said county courts shall have no application to establish such normal schools within twelve months after this act shall be in force, then said county court shall disburse the interest arising from the funds above named in this section, to the use of common schools in the townships, and distribute the same in accordance and ratio with the number of white children registered in the several townships, over seven and under twenty years of age.

SEC. 34. *Be it further enacted*, That such academies and seminaries of learning as are named in section 110 of the school law in Gould's Digest, as have been established or may be in process of being established in the counties of Izard, Pulaski, Fulton, Marion, Searcy, Bradley and Van Buren, shall still have and hold the funds which any or either of said county courts may have appropriated for the establishment of such academies or seminaries of learning, to their own proper use and benefit in any or either of said counties.

SEC. 35. *Be it further enacted*, That the governor of this state shall appoint a state superintendent of common schools, who shall be a man of scholarship and experience in matters of schools; a man reared and educated within the limits of the slaveholding states, and who shall hold his office for two years and until his successor is appointed and qualified.

SEC. 36. *Be it further enacted*, That said state superintendent of common schools shall, before entering on the duties of his office, take an oath to support the constitution of this state and of the United States, and faithfully and impartially to perform the duties of his office.

SEC. 37. *Be it further enacted*, That each judicial circuit of this state shall form one school circuit, be denominated the first, second, third, and so on to the number of judicial circuits in this state.

SEC. 38. *Be it further enacted*, That the state superintendent shall fix the times of his visits to the several school circuits of the state, and shall follow the same order in his visits to the several counties of each and every judicial circuit as may be made by the judge of said circuits, and shall give to the county courts of the several counties, through their respective clerks, thirty days' notice of the time of his intended visit to said counties.

SEC. 39. *Be it further enacted*, That said superintendent shall visit each and every county in the state at least once in the term of two years; shall require the common school officers of each and every county to exhibit the books by them required to be kept by sections seventeen, nineteen and twenty-seven of this act; shall see that the common school funds are properly loaned out, safely guarded and secured by personal security, deeds of trust or mortgages on lands and negroes, and that the interest accruing on said school funds is properly applied to common school purposes, according to the provisions of this act.

SEC. 40. *Be it further enacted*, That said superintendent shall advise and consult with the several county courts and township commissioners of the several counties and townships of this state as to the approved construction of common school houses, school-room furniture, and necessary apparatus, and shall recommend the most suitable text-books to be used, adopting, as far as practicable, a uniform system of common schools throughout the state.

SEC. 41. *Be it further enacted*, That said superintendent shall, at as many places as it may be practicable, deliver lectures on common school education, call the attention of the people to the importance of providing common school houses by private subscriptions or contributions, and urge the county courts the necessity of establishing one normal school in each and every

county of the state, for the purpose of educating our own common school teachers.

SEC. 42. *Be it further enacted*, That said state superintendent shall, on or before the tenth day of October, 1864, and every two years thereafter, make out and transmit his report, embracing in it an abstract of all the reports of the several county clerks of this state, to the governor, who shall have it printed, to be laid, by him, before the General Assembly.

SEC. 43. *Be it further enacted*, That the sum of ——— dollars be appropriated out of the money in the state treasury, not otherwise appropriated, to pay for the printing of five thousand copies of the common school laws, to be printed by the public printer, and distributed to and among the officers and teachers in the several counties of this state.

SEC. 44. *Be it further enacted*, That said superintendent shall receive an annual salary of eighteen hundred dollars, to be paid quarterly, out of the state treasury.

SEC. 45. *And be it further enacted*, That all laws and parts of laws conflicting with this act are hereby repealed, and that this act take effect and be in force from and after the first Monday in August, Anno Domini, one thousand, eight hundred and sixty-two.

Said report was received, and the bill was read the first time.

On motion of Mr. Clark, the rules were suspended, the bill read the second time by title, and ordered to be engrossed as the special order for Monday next at 12 o'clock, m.

On his further motion, one hundred copies of the bill were ordered to be printed for the use of the Senate.

On motion of Mr. Oates, the Senate adjourned until 9½ o'clock to-morrow morning.

THOS. FLETCHER,
President.

WEDNESDAY, *January 2d*, 1861.

The Senate met pursuant to adjournment.

Roll called.

P R E S E N T :

Messrs. Askew, Carrigan, Clark, Craighead, Davies, Douglas, Fagan, Gray, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward and Mr. President—20.

The journal of yesterday was read, approved and signed.

Mr. Fagan, from the committee on enrollments, made the following

R E P O R T :

Mr. PRESIDENT—

The committee on enrollments have examined "an act amendatory of an act for the benefit of the citizens of township 16, north of range 1 west," approved 5th February, 1859, and find the same correctly enrolled.

FAGAN, *Chairman.*

Which report was read and received.

On motion of Mr. Pennington, substitute Senate bill No. 53, to be entitled "an act to aid the Arkansas Institute for the Blind, which was incorporated on the 4th day of February, A. D. 1859," was taken up and read for information.

The bill being subject to amendment, Mr. Davies offered to amend by adding:

"That the pupils composing said school shall be selected from the several senatorial districts of this state, and each district shall be entitled to one pupil, if they choose to send him or her, as the case may be."

Which amendment was, on his motion, adopted.

Mr. Oates offered to amend the bill further in section 3, third line, after the word "paid," strike out all to the word "fund" in the 4th line, and insert "out of the seminary and saline funds."

Said amendment was, on motion of Mr. Clark, adopted.

Mr. Askew offered to amend the bill by striking out "nine

hundred dollars," wherever it occurs in appropriating for salary of principal, and inserting "six hundred dollars."

Which amendment was lost.

On motion of Mr. Clark, the bill was read the third time, when Mr. Rosson called for the yeas and nays on its passage.

Said call was sustained, and ordered with the following result:

YEAS—Messrs. Carrigan, Clark, Craighead, Davies, Gray, McColloch, McGreery, Mecklin, Miller, Mitchell, Oates, Pennington, Terry, Trimble, and Ward—15.

NAYS—Messrs. Askew, Douglas, Rosson and Mr. President—4.

So the bill passed.

Mr. Rosson, from the committee on swamp and overflowed lands, made the following

REPORT:

Mr. PRESIDENT—

The committee on swamp and overflowed lands, to whom was referred House bill No. 85, entitled "an act to extend the provisions of an act to provide for making and repairing levees in Desha and Phillips county, to the county of St. Francis," have considered the same, and instructed me to report the same back, and recommend its passage.

ROSSON, *Chairman.*

Said report was received; and,

On motion of Mr. Rosson, the bill was read the third time and passed.

Mr. Rosson, further from the same committee, made the following

REPORT:

Mr. PRESIDENT—

The committee upon swamp and overflowed lands, to whom was referred Senate bill No. 93, "to remove the swamp land office from Clarksville to Ozark," have considered the same and instruct me to report the same back, and recommend its rejection.

ROSSON, *Chairman.*

Said report was read; and,

On motion of Mr. Rosson, adopted, and the bill thereby rejected.

Mr. Rosson, further from the committee, on swamp and overflowed lands, made the following

REPORT:

Mr. PRESIDENT—

Your committee upon swamp and overflowed lands, to whom was referred Senate bill No. 63, "for the relief of the locating agents in the several counties in this state," have considered the same, and have instructed me to report the same back and recommend its rejection.

ROSSON, *Chairman.*

Said report was read; and,

Mr. Davies called for the reading of the minority report from the same committee, which was read.

Mr. Rosson moved to adopt the majority report; and, after some discussion, called for the yeas and nays on said motion, which call was sustained and made, with the following result:

YEAS—Messrs. Askew, Carrigan, Craighead, Fagan, Mecklin, Miller, Pennington, Rosson, Terry and Trimble—10.

NAYS—Messrs. Clark, Davies, Douglas, Gray, McColloch, McCreery, Mitchell, Oates, Ward and Mr. President—10.

So the motion was lost, and the bill not rejected.

On motion of Mr. Oates, the bill was postponed for the present.

Message from the House of Representatives by the clerk:

Mr. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have passed the following House bills, to-wit:

No. 243, to be entitled "an act to fix anew the terms of the supreme court."

No. 244, to be entitled "an act to incorporate the Richmond Male and Female Academy."

No. 245, to be entitled "an act for the benefit of the Union Church and Masonic Hall near Harold post-office, in Montgomery county."

No. 246, to be entitled "an act to amend the charter of the city of Des Arc."

No. 247, to be entitled "an act to enable Richard Blanton, of Lafayette county, to procure a deed from the State of Arkansas to certain lands."

No. 202, to be entitled "an act to protect all land in Chicot county which is subject to overflow."

No. 197, to be entitled "an act to regulate the times for holding the various circuit courts in this state, and for other purposes."

No. 127, to be entitled "an act declaring Current river a navigable stream, and for other purposes."

No. 225, to be entitled "an act to establish separate courts in the county of St. Francis."

Said nine House bills are herewith transmitted for the assent of your honorable body.

The House of Representatives have assented to Senate bill No. 104, to be entitled "an act to repeal all laws heretofore made, declaring Buffalo fork of White river a navigable stream."

Said bill is herewith returned.

The House of Representatives have concurred in Senate amendment to House bill No. 48, entitled "an act to aid the citizens of Mountain township, Washington county, Arkansas, in suppressing the sale of spirituous and vinous liquors, in said township," said amendment being to add an additional section, to-wit:

SEC. 7. *Be it further enacted*, That the provisions of this act shall be in all respects applicable to the township of Franklin, in Calhoun county.

The House of Representatives have concurred in Senate resolution to take a recess on Friday, 4th of January, to allow the members to attend divine worship in any of the churches of this city, and for fasting and prayer, in obedience to the recommendation, by proclamation of the President of the United States.

S. M. SCOTT, *Clerk of
House of Representatives.*

Mr. Rosson, from the committee on swamp and overflowed lands, made the following

REPORT:

Mr. PRESIDENT—

The committee on swamp and overflowed lands to whom was referred Senate bill No. 47, to be entitled "an act to authorize the issuance of swamp land scrip in certain cases, have considered the same, and have instructed me to report

the accompanying bill, as a substitute for the original bill, and recommend the passage of the same.

ROSSON, *Chairman*.

A BILL

To be entitled "an act to provide for refunding on swamp land entries erroneously made."

SECTION 1. *Be it enacted by the General Assembly of the State of Arkansas*, That in refunding on lands erroneously entered, the person entitled to a refunding certificate shall be entitled and restricted to the kind of funds paid in, whether the same be specie, scrip or warrants, and in the latter case, the refunding warrant shall be subject to location, in lands, at the same rate per acre, that the warrant originally paid in specified, and in the same swamp land district.

Said report was read and received, and the accompanying bill was read the first time.

On motion of Mr. Rosson, the substitute was adopted in lieu of the original bill.

On his further motion, the rules were twice suspended, the bill read the second and third times by title, and passed.

Mr. Carrigan, from the committee on internal improvements, made the following

REPORT:

Mr. PRESIDENT—

The committee on internal improvements, to which was referred House bill No. 196, to be entitled "an act to invest the proceeds of the sales of all the swamp and overflowed lands, that have been, or may hereafter be made in the Clarksville swamp land district, as stock in the Little Rock and Fort Smith branch of the Cairo and Fulton railroad company, and in the North-west border railroad company, have had the same under consideration and have instructed me to report the same back to the Senate and recommend its passage.

CARRIGAN, *Chairman*.

Said report was received; and after debate, the bill was, on motion of Mr. Clark, made the special order for Tuesday next, 11 o'clock, a. m.

No. 117. Mr. Davies introduced Senate bill, to be entitled "an act for the relief of certain purchasers of swamp land."

Read the first time.

On motion of Mr. Davies, the rules were suspended, and the bill read the second time by title.

Mr. Davies moved to refer the bill to a select committee; which motion was lost.

Whereupon, on motion of Mr. Askew, it was referred to the committee on judiciary.

No. 118. Mr. Douglas introduced Senate bill, to be entitled "an act to limit the number of public documents printed for the use of the members of the General Assembly at the commencement of each biennial session."

Read the first time.

On motion of Mr. Douglas, the rules were suspended, the bill read the second time, by title, and referred to the committee on public printing.

No. 119. Mr. Terry introduced Senate bill, to be entitled "an act for the relief of Stephen P. Kirtland."

Read the first time.

On motion of Mr. Terry, the rules were suspended, the bill read the second time, by title, and referred to the committee on swamp and overflowed lands.

On motion of Mr. Miller, House bill No. 217, to be entitled "an act to authorize the county courts of Poinsett and Craighead counties to levy a road tax," was taken up and read the first time.

On his further motion, the rules were suspended and the bill read the second time by title.

On motion of Mr. Davies, the rules were suspended further, the bill read the third time by title, and passed.

On motion of Mr. Craighead, House bill No. 177, to be entitled "an act for the relief of Van Buren county," was taken up and read for information.

The bill being subject to amendment, Mr. Craighead offered to amend by an additional section, to-wit:

SEC. 3. *And be it further enacted*, That the provisions of this act be extended to Mississippi county; *Provided, however*, That no more decisions of the supreme court shall be furnished to the county of Mississippi than shall have been certified by the

clerk of the circuit court thereof, to be wanting, and not in his office.

Which amendment was adopted, and on motion of Mr. Craighead, the bill was read the third time by title, and passed.

Mr. McCreery offered the following

RESOLUTION:

WHEREAS, The chairman of the committee on ways and means is now sick, and as it is not known when he will be able to resume his labors as chairman of said committee; *And whereas*, It is important that the volunteer companies in this state should be armed; therefore, be it

Resolved, That the committee on ways and means be, and they are hereby instructed to report to the Senate, for its action, the bill referred to them, in relation to arming the state, at as early a day as possible.

Which resolution was read; and on motion of Oates, adopted.

Mr. Rosson was called to the chair.

On motion of Mr. Terry, House bill No. 223, to be entitled "an act to amend an act entitled an act to extend the boundaries of the city of Little Rock, approved November 30, 1860," was taken up and read the first time.

On motion of Mr. Terry, the rules were twice suspended, the bill read the second and third times by title, and passed.

No. 120. Mr. President introduced Senate bill, to be entitled "an act to amend section 123, chapter 4, of Gould's Digest."

Read the first time.

On motion of Mr. President, the rules were suspended, the bill read the second time by title, and referred to the committee on judiciary.

No. 121. Mr. Trimble introduced Senate bill, to be entitled "an act to extend the powers and duties of certain officers."

Read the first time.

On motion of Mr. Trimble, the rules were suspended, and the bill read the second time by title.

Mr. Askew moved to amend the bill by inserting after the words "mayors of incorporated cities or towns," the words "state senators and representatives."

On motion of Mr. Terry, the bill and amendment was referred to the committee on judiciary.

On motion of Mr. Carrigan, House bill No. 239, to be entitled "an act to provide for the election of a tax assessor in the county of Lafayette," was taken up and read the first time.

On his further motion, the rules were suspended, the bill read the second time by title, and ordered to take its course under the rules.

On motion of Mr. Trimble, House bill No. 243, to be entitled "an act to fix anew the terms of the supreme court," was taken up and read the first time.

On his further motion, the rules were suspended, and the bill read the second time by title.

Mr. Trimble moved a further suspension of the rules, to which Mr. Askew objected; and thereupon,

On motion of Mr. Davies, the bill was referred to the committee on judiciary.

On motion of Mr. Fagan, House bill No. 245, to be entitled "an act for the benefit of the Union Church and Masonic Hall, near Harold post-office, in Montgomery county," was taken up and read the first time.

On his further motion, the rules were suspended, and the bill read the second time by title.

Mr. Fagan then offered to amend the last section of the bill by striking out the words, "from and after its passage," and insert "from and after the first day of February, 1861."

Which amendment was adopted.

On the further motion of Mr. Fagan, the bill was read the third time and passed.

Mr. Miller offered the following

RESOLUTION:

Resolved, That the committee on judiciary be requested to report House bill No. 165, at their earliest convenience.

Which was read and adopted.

No. 122. Mr. Terry introduced Senate bill to be entitled "an act to refund to the county of Pulaski, money paid into the treasury as taxes upon the sixteenth section."

Read the first time.

On motion of Mr. Terry, the rules were suspended, the bill read the second time by title, and referred to the committee on education.

No. 123. Mr. Pennington introduced Senate bill to be entitled "an act to authorize the clerk of the circuit court of Clark county, to transcribe certain records in his office."

Read the first time.

On motion of Mr. Clark, the rules were suspended, the bill read the second time by title.

On his further motion, the bill was amended by inserting Scott county, and making the same subject to the provisions thereof.

On motion of Mr. Pennington, the bill was read the third time by title, as amended, and passed.

On motion of Mr. Davies, House bill No. 108, to be entitled "an act to incorporate the St. Francis river navigation company," was taken up and read for information.

The bill being subject to amendment, Mr. Craighead moved to amend by striking out all that part of the bill donating to the company the unsurveyed swamp and overflowed lands within three miles of either bank of the St. Francis river.

Mr. Craighead advocated the adoption of said motion, and Mr. Davies opposed it.

Mr. McColloch having obtained the floor, moved to take a recess until 3 o'clock p. m.; which motion was lost.

On motion of Mr. Davies, the bill under consideration was read the third time by title and passed.

On motion of Mr. Terry, the Senate adjourned until 9½ o'clock, to-morrow morning.

THOS. FLETCHER,

President.

THURSDAY, *January 3d*, 1861.

Senate met.

Roll called.

P R E S E N T :

Messrs. Askew, Clark, Craighead, Davies, Douglas, Fagan, Gray, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President.—20.

The journal of yesterday was read, approved and signed.

No. 124. Mr. Terry, on leave, introduced Senate bill to be entitled "an act to legalize the marriage between Dr. M. I. Birdsong and Elizabeth Ann Fortson."

Read the first time.

On motion of Mr. Terry, the rules were suspended, the bill read the second time by title, and referred to the committee on judiciary.

No. 125. Mr. Askew, on leave, introduced Senate bill to be entitled "an act to provide for the holding of a state convention."

Read the first time.

On motion of Mr. Askew, the rules were suspended, and the bill read the second time by title.

Mr. Oates offered as a substitute for said bill, a bill to be entitled "an act to provide for a convention of the people of the State of Arkansas."

Which was read the first and second times.

On motion of Mr. Clark, the bill and the proposed substitute were referred to the committee on federal relations.

On motion of Mr. Fagan, House bill No. 218, to be entitled "an act to amend an act to incorporate the president and trustees of the Lacy Male and Female Academy," approved 6th January, 1853, was taken up and read the first time.

On his further motion, the bill was read the second time by title.

Mr. Fagan moved a further suspension of the rules, to which Mr. McCreery objected, and thereupon, on motion of Mr. Fagan, the bill was referred to the committee on education.

On motion of Mr. Craighead, House bill No. 211, to be entitled "an act to amend and reduce into one law, an act approved December 14, 1854, incorporating the town of Hamburg, in the county of Ashley, and an act to amend the same, approved February 21st, 1859," was taken up and read the first time.

On his further motion, the rules were twice suspended, the bill read the second and third times by title, and passed.

On motion of Mr. Ward, House bill No. 237, to be entitled "an act to repeal an act entitled an act declaring Petit Jean creek a navigable stream," was taken up and read the first time.

On motion of Mr. Ward, the rules were suspended, and the bill read the second time by title;

And on motion of Mr. Terry, the rules were again suspended, the bill read the third time by title, and passed.

Mr. Watkins, from the committee on ways and means, made the following

REPORT:

Mr. PRESIDENT—

Your committee on ways and means to which was referred Senate bill No. 99, to be entitled "an act to appropriate \$100,000 to arm volunteer companies in the several counties of this state," have had the same under consideration, and a majority of the committee have instructed me to report the same to the Senate and recommend its rejection.

WATKINS, *Chairman*.

Said report was received, and Mr. Rosson moved its adoption.

The bill was read for information.

Mr. Rosson withdrew his motion to adopt the report by request of Mr. McColloch, who desired to amend the bill.

Mr. Askew moved to adopt the report.

Which motion was lost.

Mr. McColloch then moved to amend the bill with the following proviso:

Provided, That at least two companies, one of cavalry and one of infantry, shall be armed in each of the counties of Washington, Benton, Crawford, Sebastian, Scott, Polk and Sevier.

On motion of Mr. Oates, said amendment was amended by adding the words, "provided such companies are formed."

On motion of Mr. Craighead, the amendment was further amended by adding the counties of Mississippi, Crittenden, Phillips, Desha and Chicot.

On motion of Mr. Douglas, the county of Madison was also added.

Mr. Watkins moved to amend by adding the counties of Carroll and Newton.

On motion of Mr. Rosson, the bill and amendments were referred to a select committee of five.

Mr. President appointed as such committee, Messrs. McCreery, McColloch, Watkins, Davies and Oates.

The following message was received from the House of Representatives by the clerk:

Mr. PRESIDENT—

The House of Representatives have passed Senate bill No. 103, entitled "an act prohibiting the sale of spirituous and vinous liquors in the county embracing and lying immediately adjacent to the Benton Male and Female Academy in Saline county."

Said Senate bill is herewith returned.

The House of Representatives have passed House bill No. 51, entitled "an act to amend the penal law in relation to stealing and enticing away slaves, or otherwise aiding them to escape to the free states or territories."

Also, House bill No. 95, entitled "an act to amend section 5, of chapter 70 Gould's Digest, in relation to ferry licenses."

Said two House bills are herewith transmitted for the assent of your honorable body, which is respectfully asked.

The House have adopted the following resolution:

Resolved, That the use of this hall be, and the same is hereby tendered to Rev. P. S. G. Watson of this city on the 4th inst., and that he be requested to deliver a sermon on the occasion, and that the Speaker appoint some member of the House to wait on him and inform him of the request, and the Senate be requested to attend.

S. M. SCOTT, *Clerk of
House of Representatives.*

On motion of Mr. Rosson, House bill No. 202, to be entitled an act to provide for reclaiming all land in Chicot county which is subject to overflow, was taken up and read the first time.

On his further motion, the rules were twice suspended, the bill read the second and third times by title, and passed.

On motion of Mr. Davies, House bill No. 225, to be entitled "an act to establish separate courts in the county of St. Francis," was taken up and read the first time.

On motion of Mr. Davies, the rules were twice suspended, the bill read the second and third times by title, and passed.

Mr. Oates was called to the chair.

On motion of Mr. McColloch, House bill No. 189, to be entitled "an act to change the time of holding the terms of the court of probate in Drew county," was taken up and read the first time.

On his further motion, the rules were twice suspended, the bill read the second and third times by title, and passed.

On motion of Mr. Watkins, House bill No. 224, to be entitled "an act for the relief of James S. Bennett of Pope county, and Edward C. Swain of Newton county, for and on account of labor done and money expended in the arrest of Cooper and Blackstone, escaped convicts from the penitentiary," was taken up and read the first time.

On motion of Mr. Watkins the rules were suspended, and the bill read the second time, by title.

Mr. Watkins moved a further suspension of the rules.

Mr. Rosson objected, and moved that the bill be referred to the committee on claims; which motion was lost.

The motion to suspend the rules was then put to a vote and also lost.

So the bill took its course under the rules.

On motion of Mr. Mecklin, House bill No. 195, to be entitled "an act to incorporate the North-western Arkansas Baptist Female Institute," was taken up and read the first time.

On motion of Mr. Mecklin, the rules were twice suspended, the bill read the second and third times, by title, and passed.

On motion of Mr. Pennington, House bill No. 220, to be entitled "an act to incorporate the Arkadelphia Hook and Ladder company," was taken up and read the first time.

On his further motion, the rules were twice suspended, the bill read the second and third times by title, and passed.

No. 126. Mr. Davies introduced Senate bill to be entitled "an act to grant charter privileges to William Brown and Nicholas Childers, of Greene county, to keep public ferries in St. Francis county," now in said county.

Read first time.

On motion of Mr. Davies, the rules were suspended, the bill read the second time, by title, and referred to the committee on public roads.

No. 127. Mr. Pennington introduced Senate bill to be entitled "an act to supply the state with a reprint of Gould's Digest of the Statutes of Arkansas, and for other purposes."

Read the first time.

On motion of Mr. Pennington, the rules were suspended, the bill read the second time by title, and referred to the committee on public printing.

Mr. Fagan, from the committee on enrollments, made the following

REPORT:

Mr. PRESIDENT—

The committee on enrollments, have examined "an act prohibiting the sale of spirituous or vinous liquors in the country embracing and lying immediately adjacent to the Benton Male and Female Academy, in Saline county."

Also, "an act to repeal all laws heretofore passed declaring Buffalo Fork, of White river, a navigable stream."

And "an act amendatory of an act for the benefit of the citizens of township 16 north, of range one west," approved 5th January, 1859.

And find same correctly enrolled.

FAGAN, *Chairman*

Committee on Enrollments.

Which report was read and received.

Mr. Terry moved to adjourn until 9½ o'clock, Saturday morning; which motion was lost.

On motion of Mr. President, House bills on their first reading were taken up.

House bill No. 51, to be entitled "an act to amend the

penal law in relation to stealing and enticing away slaves, or otherwise aiding them to escape to the free states or territories," was taken up and read the first time.

On motion of Mr. Terry, the rules were suspended, and the bill read the second time by title.

Mr. Askew offered to amend by an additional section, to-wit:

SEC. — That if any person or persons, shall hereafter hold in slavery any free negro or mulatto, knowing the same to be free, against the will of said free negro or mulatto, they shall be subject to all the penalties prescribed by this act, unless it be such free negroes as are sold under existing laws.

On the adoption of said amendment a division was called for and a quorum not voting, the yeas and nays were ordered, by the chair, with the following result:

YEAS—Mr. Askew—1.

NAYS—Messrs. Clark, Craighead, Davies, Douglas, Fagan, Gray, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—19.

So the amendment was not adopted.

On motion of Mr. Watkins, it was referred to the committee on judiciary.

On motion of Mr. Fagan, the Senate adjourned until 9½ o'clock, Saturday morning.

THOS. FLETCHER,
President.



SATURDAY, *January 5th*, 1861.

Senate met pursuant to adjournment.

Roll called.

P R E S E N T :

Messrs. Askew, Carrigan, Craighead, Davies, Douglas, Fagan,

Gray, McAlexander, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—20.

Message from the House of Representatives, by the clerk:

Mr. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have concurred in Senate amendment to House bill No. 108, entitled “an act to incorporate the St. Francis river navigation company,” to-wit:

SEC. 13. That the State of Arkansas shall in no case be responsible for any damages on account of opening the channel of said river; and that said company shall not exercise any banking privilege.

The House of Representatives have assented to Senate bill No. 89, entitled “an act to incorporate the Benton Male and Female Academy.”

Said bill is herewith returned.

The House of Representatives have amended and assented to an amended Senate bill No. 100, entitled “an act to amend chapter 137 of Gould’s Digest, under the head of public printing.”

Said bill is herewith returned, and the amendment thereto attached, for the concurrence of your honorable body, which is respectfully asked.

The House of Representatives have passed the following House bills, to-wit:

No. 258, to be entitled “an act to provide for the assignment and transfer of claims and certificates of certain pre-emptors on reserved lands along railroad lines.”

No. 252, to be entitled “an act to incorporate the White River Valley Railroad Company.”

No. 253, to be entitled “an act to amend an act entitled an act to incorporate the city of Camden.”

No. 254, to be entitled “an act to provide for making a drain from Old Town lake, to the Yellow Banks bayou, in Phillips county.”

No. 255, to be entitled “an act to empower Giles N. Kelley, a minor, to receive his property and transact business, as of full age.”

No. 256, to be entitled “an act to incorporate the town of Jonesboro, in the county of Craighead.”

Said six House bills are herewith transmitted for the assent of your honorable body, which is respectfully asked.

S. M. SCOTT, *Clerk of
House of Representatives.*

No. 128. Mr. Terry, on leave, introduced Senate bill to be entitled "an act to amend the charter of Des Arc, in Prairie county."

Read the first time.

On motion of Mr. Terry, the rules were twice suspended, the bill read the second and third times by title, and passed.

On motion of Mr. Oates, House bill No. 254, to be entitled "an act to provide for making a drain from Old Town lake to Yellow Banks bayou, in Phillips county," was taken up and read the first time.

On his further motion, the rules were twice suspended, and the bill read the second and third times, by title, and passed.

On motion of Mr. Gray, House bill No. 295, to be entitled "an act to amend section 1, of chapter 49, of Gould's Digest, as to the counties of Bradley and Jefferson," was taken up and read the first time.

On his further motion, the rules were suspended, the bill read the second time, by title, and referred to the committee on judiciary.

On motion of Mr. Watkins, House amendment to Senate bill No. 100, to be entitled "an act to amend chapter 137, of Gould's Digest, under the head of public printing," to-wit: by inserting after the word 'all' in the second section, 'book, pamphlet and job printing,'" was taken up, read and concurred in.

Mr. Rosson, from the committee on swamp and overflowed lands, made the following

REPORT:

Mr. PRESIDENT—

The committee on swamp and overflowed lands to which was referred Senate bill No. 58, entitled "an act to refund to the administrator of the estate of Henry J. Kimbell, deceased, a certain amount of swamp land scrip erroneously paid by said deceased, for the entry of lands, which the state had previously sold," considering that the passage of said bill involves questions of law, decline to consider the same, and it is reported back to the Senate with the recommendation that the same be referred to the committee on judiciary.

ROSSON, *Chairman.*

Said report was read, and on motion of Mr. Rosson, adopted, and the bill thereby referred to the committee on judiciary.

Mr. Rosson, further from the committee on swamp and overflowed lands, made the following

REPORT:

Mr. PRESIDENT—

The committee upon swamp and overflowed lands, to whom was referred Senate bill No. 41, to be entitled "an act to protect the interest of the State of Arkansas, in the swamp and overflowed land grant," have considered the same, and with the following amendments, recommend its passage.

Amendment 1st. Strike out the words Cairo and Fulton Railroad company, wherever it occurs in the bill, and insert , the several railroad companies in this state."

Amendment 2d. Strike out the last proviso in the 4th section, in these, "*Provided further*, That the decree of said court shall be final and conclusive."

ROSSON, *Chairman*.

On motion of Mr. Rosson, the first amendment was read and adopted.

On his further motion, the 2d amendment was also adopted, and the bill read the third time, by title, and passed.

On motion of Mr. Carrigan, House bill No. 239, to be entitled "an act to provide for the election of a tax assessor, in the county of Lafayette," was taken up and read the third time and passed.

On motion of Mr. Terry, House bill No. 235, to be entitled "an act to amend the charter of the Memphis and Little Rock Railroad company," was taken up and read the first time.

On his further motion, the rules were suspended, and the bill read the second time by title, and

On motion of Mr. Davies, referred to the committee on judiciary.

On motion of Mr. Mitchell, House bill No. 213, entitled "an act to repeal sections 2d and 3d, of an act approved 16th February, 1859, preventing the sale of school lands in certain cases, and for other purposes, so far as Marion county is concerned," was taken up and read the first time.

On his further motion, the rules were twice suspended, the bill read the second and third times, by title, and passed.

On motion of Mr. Miller, House bill No. 256, to be entitled "an act to incorporate the town of Jonesboro, in Craighead county," was taken up and read the first time.

On his further motion, the rules were twice suspended, the bill read the second time, by title, and passed.

No. 129. Mr. Terry on leave, introduced Senate bill to be entitled "an act for the benefit of St. John's College."

Read the first time.

On motion of Mr. Terry, the rules were suspended, and the bill read the second time by title.

Mr. Davies offered to amend the bill with the following proviso:

Provided, That said college shall return the whole of said books hereby deposited with them, when called for by the state officers.

On motion of Mr. Rosson, the bill, together with the amendment, was referred to the committee on education.

On motion of Mr. Trimble, House bill No. 232, to be entitled "an act for the relief of Samuel P. Wycough," was taken up and read the first time.

Mr. Trimble moved to suspend the rules and put the bill on its second reading.

Mr. Watkins objected, and on his motion the bill was rejected.

On motion of Mr. Carrigan, House bill No. 247, to be entitled "an act to enable Richard Blanton, of Lafayette county, to procure a deed from the State of Arkansas for certain lands," was taken up and read the first time.

On motion of Mr. Mecklin, the rules were suspended, the bill read the second time by title, and referred to the committee on swamp and overflowed lands.

On motion of Mr. Davies, House bill No. 127, to be entitled "an act declaring Current river a navigable stream, and for other purposes," was taken up and read the first time.

On his further motion, the rules were twice suspended, the bill read the second and third times by title and passed.

On motion of Mr. Gray, House bill No. 214, to be entitled "an act for the benefit of the Pleasant Ridge Academy in Bradley county," was taken up and read the first time.

On his further motion, the rules were twice suspended, the bill read the second and third times by title and passed.

Mr. Terry, from the committee on federal relations, made the following

REPORT:

Mr. PRESIDENT—

The committee on federal relations, to whom was referred sundry memorials, petitions, and proceedings of public meetings, touching the present political crisis, have had the same under consideration, and I am directed to report the accompanying bill and recommend its passage.

TERRY, *Chairman.*

No. 130. A bill to be entitled "an act calling a state convention."

SECTION 1. *Be it enacted by the General Assembly of the State of Arkansas,* That the governor of said state shall issue his proclamation, ordering an election for delegates to a state convention on the second Monday in April, 1861; which election shall be conducted as state elections are now conducted.

SEC. 2. *Be it further enacted,* That each county shall be entitled to as many delegates as it may have members in the lower branch of the state legislature, and the qualifications to be a delegate shall be the same as is now required for a member of the House of Representatives.

SEC. 3. *Be it further enacted,* That the delegates so elected shall convene in the capitol at Little Rock, on the first Monday of May, 1861, and organize themselves into a state convention, by the election of a president, secretary, and other officers; the secretary and other officers shall be paid four dollars per day, and the delegates the same pay and mileage as is now allowed members of the state legislature, to be certified and paid in the same manner as members of the legislature are now paid.

SEC. 4. *Be it further enacted,* That the convention shall have power to determine what course the State of Arkansas shall pursue in the present political crisis.

SEC. 5. *Be it further enacted,* That this act shall be in force from and after its passage.

Said report was received, and the bill reported was read the first time.

On motion of Mr. Terry, the rules were suspended, and the bill read the second time by title.

On the further motion of Mr. Terry, the bill was referred to the committee of the whole Senate, and made the special order for Monday next at 2½ o'clock, p. m.

The introduction of bills was in order.

No. 131. Mr. McAlexander introduced Senate bill, to be entitled "an act to authorize the common school commissioner of Lawrence county to sell the yet unsold portion of section 16, in township 18, north of range 5 west," supported by the petition of sundry citizens of Lawrence county.

Which was read the first time.

On motion of Mr. McAlexander, the rules were twice suspended, the bill read the second and third times, by title, and passed.

On motion of Mr. Gray, House bill No. 95, to be entitled "an act to amend section 5, chapter 70, of Gould's Digest, in relation to ferry licenses," was taken up and read the first time.

On motion of Mr. Gray, the rules were suspended, the bill read the second time by title, and referred to the committee on judiciary.

Mr. Fagan was called to the chair.

On motion of Mr. Terry, House bill No. 246, to be entitled "an act for the amendment of the charter of the city of Des Arc," was taken up and read the first time.

On his further motion, the rules were twice suspended, the bill read the second and third times by title and passed.

On motion of Mr. President, House bill No. 209, to be entitled "an act amendatory of the common school laws of the county of Arkansas," was taken up and read the first time.

On his further motion, the rules were suspended, the bill read the second time by title, and referred to the committee on education.

No. 132. Mr. McAlexander introduced Senate bill, to be entitled "an act to appropriate \$100,000 for the purpose of arming the militia of the state when formed into volunteer companies."

Read the first time.

On motion of Mr. McAlexander, the rules were suspended, and the bill read the second time by title.

Mr. McAlexander moved its reference to the select committee of which Mr. McCreery is chairman, and to whom was referred Senate bill No. 99.

Mr. Askew desired to amend the bill, but Mr. McAlexander insisted on his motion, and called for the yeas and nays, which call was sustained, and ordered with the following result:

YEAS — Messrs. Craighead, Fagan, Gray, McAlexander, Mitchell, Pennington, Rosson and Trimble—8.

NAYS—Messrs. Askew, Carrigan, Douglas, McCreery, Mecklin, Miller, Oates, Terry, Ward, Watkins and Mr. President—11.

So the motion to refer was lost.

Mr. Askew then moved to amend by striking out one hundred thousand dollars, and insert in its place that the governor of the state shall have power by proclamation to levy a special tax to carry out the provisions of this act.

Mr. Rosson moved to refer the bill and amendment to the select committee aforesaid.

On which motion the yeas and nays were ordered with the following result:

YEAS—Messrs. Carrigan, Fagan, McAlexander, McCreery, Mecklin, Mitchell, Pennington, Rosson, Watkins and Mr. President—10.

NAYS — Messrs. Askew, Craighead, Douglas, Gray, Miller, Oates, Terry, Trimble and Ward—9.

So the bill and amendment were referred to said select committee.

On motion of Mr. Carrigan, House bill No. 210, to be entitled "an act to provide more fully for the incorporation of the town of Paraclifta," was taken up and read the first time.

On his further motion, the rules were twice suspended, the bill read the second and third times by title and passed.

On motion of Mr. Askew, House bill No. 219, to be entitled "an act to incorporate the Trustees of Hillsboro, Male and Female Academy in Union county, and to prevent the sale of

spirituous liquors within three miles of the town of Hillsboro," was taken up and read the first time.

On motion of Mr. Pennington, the rules were twice suspended, and the bill read the second and third times by title and passed.

On motion of Mr. Miller, House bills on their first reading were ordered up.

House bill No. 197, to be entitled "an act to regulate the times for holding the various circuit courts in this state, and for other purposes," was taken up and read the first time.

On motion of Mr. Askew, the rules were suspended, the bill read the second time by title, and referred to the committee on judiciary.

Mr. Trimble asked and obtained leave of absence for Mr. McColloch, on account of sickness.

On motion of Mr. Ward, leave of absence was also granted Mr. Clark, on account of sickness.

Mr. Fagan, from the committee on enrollments, made the following

REPORT:

Mr. PRESIDENT—

I have the honor to report that, on this the 5th day of January, 1861, I handed to the governor, for his consideration, "an act amendatory of 'an act for the benefit of the citizens of township 16, north of range one west,' approved 5th January, 1859."

"An act to repeal all laws heretofore passed declaring Buffalo Fork of White river a navigable stream."

Also, "an act prohibiting the sale of spirituous or vinous liquors in the country embracing and lying immediately adjacent to the Benton Male and Female Academy, in Saline county."

FAGAN, *Chairman*
Committee on Enrollments.

Read and received.

Mr. Fagan, from said committee, also, made the following

REPORT:

Mr. PRESIDENT—

The committee on enrollments have examined “an act to incorporate the Trustees of the Benton Male and Female Academy in this state,” and find the same correctly enrolled.

FAGAN, *Chairman*
Committee on Enrollments.

Read and received.

House bill No. 199, to be entitled “an act to grant a charter to Jonathan Hardin to build a toll-bridge across Cadron creek, in Conway county,” was taken up and read the first time.

On motion of Mr. Rosson, the rules were suspended, and the bill read the second time by title.

Mr. Rosson moved a further suspension of the rules.

Mr. Mitchell objected, and moved to reject the bill; which motion prevailed.

Mr. Mitchell, from the committee on enrollments, made the following

REPORT:

Mr. PRESIDENT—

The committee on enrollments have examined Senate bill No. 100, to be entitled “an act to amend chapter 137 of Gould’s Digest, under the head of ‘Public Printing,’” have instructed me to report the same correctly enrolled.

MITCHELL, *Chairman*
pro tem.

Read and received.

On motion of Mr. Terry, the Senate adjourned until 9 ½ o’clock, Monday morning.

THOS. FLETCHER,
President.

MONDAY, *January 7th*, 1861.

The Senate met pursuant to adjournment.

Roll called.

P R E S E N T :

Messrs. Askew, Carrigan, Craighead, Davies, Douglas, Gray, Lemoyne, McAlexander, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—20.

The journal of Saturday was read, approved and signed.

Message from the House of Representatives, by the clerk:

Mr. PRESIDENT—

I am instructed to inform your honorable body, that the House of Representatives have passed the following House bills, to-wit:

No. 16, to be entitled “an act for the relief of certain persons holding certificates of application to purchase certain swamp lands in the old Helena swamp land district.”

No. 83, to be entitled “an act to repeal an act entitled an act declaring Cache river navigable.”

No. 138, to be entitled “an act to incorporate the Western Home Institute.”

No. 152, to be entitled “an act to repeal sections 26, 29 and 30, of chapter 149, of Gould’s Digest, under the head of roads and highways, and for other purposes.”

No. 265, to be entitled “an act for the relief of William A. Porter, sheriff of Sebastian county.”

No. 266, to be entitled “an act for the relief of Anthony W. Cole, late sheriff and collector for Sevier county.”

No. 267, to be entitled “an act to extend the time in which owners of lands and town lots sold for non-payment of taxes may redeem the same.”

No. 268, to be entitled “an act for the benefit of Rocky Comfort Academy, in the county of Sevier.”

No. 270, to be entitled “an act amendatory of the law of this state in relation to the liquidation of the Bank of the State of Arkansas, and for other purposes.”

No. 271, to be entitled “an act to amend section 34, article 1st, chapter 101, of Gould’s Digest of the Statutes of this state.”

Said ten bills are herewith transmitted for the assent of your honorable body, which is respectfully asked.

The House of Representatives have rejected Senate bill No. 18, entitled “road law for Pulaski county.”

Said bill is herewith returned.

S. M. SCOTT, *Clerk of*
House of Representatives.

Motions and resolutions were in order.

Mr. Pennington offered the following

RESOLUTION:

Resolved, That the Secretary of the Senate be authorized to employ an assistant during the sickness of Wm. H. Rosson, the present assistant.

Which was read, and on motion of Mr. Pennington, adopted.

On motion of Mr. Rosson, House resolution, proposing an adjournment *sine die*, on the 19th inst., was taken up.

On his further motion, the same was amended by striking out "19th" and inserting "Monday the 21st."

On his further motion, the resolution was concurred in as amended.

Reports from standing committees were in order.

Mr. Askew, from the committee on judiciary, made the following

REPORT:

Mr. PRESIDENT—

The judiciary committee, to which was referred Senate bill No. 109, to be entitled "an act to revive section 17, of article 6, of chapter 101, of Gould's Digest," have considered the same, and have instructed me to report it back and recommend its rejection.

ASKEW, *one of the*
Judiciary Committee.

Which report was read; and

On motion of Mr. Rosson, adopted, and the bill thereby rejected.

Mr. Oates, from the committee on judiciary, made the following

REPORT:

Mr. PRESIDENT—

The judiciary committee, to which was referred Senate joint resolutions relative to the Cairo and Fulton railroad company, have had the same under consideration, and have instructed me to report the same back to the Senate with an amendment, and, as amended, to recommend its passage.

OATES, *Chairman.*

Amendment—strike out the third resolution.

Which report was received, and on motion of Mr. Oates, the amendment was adopted.

On his further motion, the resolutions were read the third time, as amended, and adopted.

Mr. Rosson, from the committee on swamp and overflowed lands, made the following

REPORT:

Mr. PRESIDENT—

The committee upon swamp and overflowed lands, to whom was referred House bill No. 247, entitled “an act to enable Richard Blanton, of Lafayette county, to procure a deed from the State of Arkansas to certain lands,” have considered the same and instructed me to report the same back to the Senate and recommend its passage.

ROSSON, *Chairman.*

Said report was received; and,

On motion of Mr. Rosson, the bill was read the third time and passed.

Mr. Davies, from the committee on claims, made the following

REPORT:

Mr. PRESIDENT—

The committee on claims, to whom was referred Senate bill No. 22, to be entitled “an act for the relief of John Wassell,” have had the same under consideration for some time, and have concluded to report the same back to the Senate, and recommend its passage.

DAVIES, *Chairman.*

Which report was received, and

On motion of Mr. Oates, the bill was made the special order for Thursday next at 11 o'clock, a. m.

The following message was received from the governor:

Mr. PRESIDENT—

I am instructed by the governor to report to the Senate, that on the 5th day of January, 1861, he approved and signed “an act to repeal all laws heretofore passed declaring Buffalo fork of White river a navigable stream.”

“An act prohibiting the sale of spirituous and vinous liquors in the country embracing and lying immediately adjacent to the Burton Male and Female Academy, in Saline county.”

And "an act amendatory of an act for the benefit of the citizens of township 16, north of range 1 west, approved 5th February, 1859."

W. M. MATHENY,
Private Secretary.

January 7th, 1861.

Mr. Rosson, from the committee on swamp and overflowed lands, made the following

REPORT.

Mr. PRESIDENT—

The committee on swamp and overflowed lands, to whom was referred Senate bill No. 119, to be entitled "an act for the relief of Stephen P. Kirtland," have considered the same and have instructed me to report the same back to the Senate, and recommend its rejection.

ROSSON *Chairman.*

Said report was received; and

Mr. Rosson moved its adoption, but on motion of Mr. Terry, the bill was recommitted to the committee on swamp and overflowed lands.

Mr. Oates, from the committee on judiciary, made the following

REPORT:

Mr. PRESIDENT—

The judiciary committee, to which was referred Senate bill No. 29, to be entitled "an act to authorize the governor to make deeds to purchasers of bank lands, have had the same under consideration, and the committee not knowing what lands have been sold, nor knowing by what title they have been held by the state, nor what amount of encumbrances may be upon them, have instructed me to report the same back to the Senate and to recommend its rejection.

OATES, *Chairman.*

Said report was received; and

On motion of Mr. Oates, adopted, and the bill thereby rejected.

Mr. Oates, further, from the committee on judiciary, made the following

REPORT:

Mr. PRESIDENT—

The judiciary committee, to which was referred House bill No. 90, to be entitled "an act to repeal all bankrupt laws in this state," have considered the same, and have instructed me to report the same back to the Senate, and recommend its rejection.

OATES, *Chairman*

Said report was received; and,

On motion of Mr. Watkins, adopted, and the bill thereby rejected.

Mr. Oates, further, from same committee, made the following

REPORT:

Mr. PRESIDENT—

The judiciary committee, to which was referred Senate bill No. 110, entitled "an act to repeal a portion of section 1, of chapter 147, of the Digest of the Statutes of Arkansas," have had the same under consideration, and I am instructed to report the same back to the Senate and recommend its rejection.

OATES, *Chairman.*

Said report was received; and

On motion of Mr. Gray, adopted, and the bill thereby rejected.

Mr. Oates, further from the same committee, made the following

REPORT:

Mr. PRESIDENT—

The judiciary committee, to which was referred Senate bill No. 124, to be entitled "an act to legalize the marriage between Dr. M. J. Birdsing and Elizabeth Ann Fortson," have had the same under consideration, and have instructed me to report the same back to the Senate and recommend its rejection.

OATES, *Chairman.*

Said report was received; and,

On motion of Mr. Rosson, adopted, and the bill thereby rejected.

Mr. Oates, further from the same committee, made the following

REPORT:

Mr. PRESIDENT—

The judiciary committee, to which was referred Senate bill No. 95, to be entitled “an act to equalize the races as between the African and black republican, and to prevent the enforcement of mob law,” have had the same under consideration, and I am instructed to report the same back to the Senate and recommend its rejection.

OATES, *Chairman.*

Said report was received, and Mr. Rosson moved its adoption.

After some discussion, the bill was, on motion of Mr. Douglas, recommitted to the committee on judiciary.

Mr. Oates, from said committee, made the following

REPORT:

Mr. PRESIDENT—

The judiciary committee, to which was referred Senate bill No. 96, to be entitled “an act to permit certain slaves in Pope county to choose masters,” have had the same under consideration, and have instructed me to report the same back to the Senate, and for the reason that a general bill including the objects of this bill, has already passed the General Assembly, I am instructed to recommend its rejection.

OATES, *Chairman.*

Report was received, and on motion of Mr. Oates adopted, and the bill thereby rejected.

Mr. Oates also made the following

REPORT:

Mr. PRESIDENT—

The judiciary committee, to which was referred a series of resolutions, adopted by a meeting of the citizens of Van Buren county, in relation to the “bill for the relief of the people of the State of Arkansas,” which was pending in the Senate, have had the same under consideration, and I am instructed by the committee to report the same back to the Senate, and ask that they be discharged from its further consideration.

OATES, *Chairman.*

Report adopted on motion of Mr. Oates, and the committee accordingly discharged.

Mr. Oates, further from said committee, made the following

REPORT:

Mr. PRESIDENT—

The judiciary committee to which was referred the petition of sundry citizens of Independence county, in this state, praying that one Molly Phillips, a free woman of color, be exempted from the operation of an act passed at the last session of the General Assembly of this state, regulating the removal of free negroes and mulattoes from this state, have considered the same, and have instructed me to report the same back to the Senate and recommend that the prayer of the petitioners be refused.

OATES, *Chairman.*

Report received, and on motion of Mr. Rosson adopted, and the prayer of the petitioners thereby rejected.

Mr. Oates, further from said committee, made the following

REPORT:

Mr. PRESIDENT—

The judiciary committee to which was referred Senate bill No. 121, to be entitled "an act to extend the power of certain officers," with an amendment thereto, have considered the same, and have instructed me to report the same back to the Senate and recommend its rejection.

OATES, *Chairman.*

Report received, and on motion of Mr. Carrigan adopted, and the bill thereby rejected.

Mr. Oates, further from the committee on judiciary, made the following

REPORT:

Mr. PRESIDENT—

The judiciary committee, to which was referred Senate bill No. 87, to be entitled "an act requiring insurance companies beyond the limits of the State of Arkansas, to secure the payment of policies taken by them in this state," have considered the same, and have instructed me to report the same back to the Senate and to recommend its rejection.

OATES, *Chairman.*

Report received, and on motion of Mr. Rosson adopted, and the bill thereby rejected.

Mr. Oates further from said committee, made the following

REPORT:

Mr. PRESIDENT—

The judiciary committee to which was referred the resolution of the Senate, "making it the duty of said committee to inquire into the propriety of passing a law making it the duty of the sheriffs and jailers of each county in this state to advertise runaway slaves in some certain newspaper in the state as estray notices are now required to be published," have had the same under consideration, and have instructed me to report the following bill in answer to said resolution, and to recommend its passage.

OATES, *Chairman.*

No. 133. A bill to be entitled "an act in reference to the advertisement of runaway slaves."

Be it enacted by the General Assembly of the State of Arkansas, That it shall hereafter be the duty of the sheriff of any county in this state, when a runaway slave is committed to the jail of his county, to advertise the same in the paper published and printed by the public printer of this state, for the time and in the same manner as now required by law, and if the public printer shall not be the owner or publisher of a newspaper, then the secretary of state shall select some newspaper at the city of Little Rock, in which such advertisements shall be printed; and when the secretary of state shall have selected the paper as aforesaid, he shall give notice thereof to the several sheriffs of the several counties.

SEC. 2. The public printer or the paper selected under the first section of this act, shall immediately upon receiving an advertisement from any sheriff that a runaway negro has been committed to the jail of his county, publish the same in the first weekly paper published thereafter, and send one copy of the paper containing the advertisement to the clerk, and one to the sheriff of the county in which said runaway is confined, and once a month shall publish a list and description of all runaway negroes in consecutive order, and send one copy of the paper containing such list, to each clerk in the several counties of this state, which paper shall be filed by the clerk and kept in his office open to the inspection of any and all persons.

SEC. 3. The person or persons publishing the advertisement of runaway slaves under this act, shall be allowed the custom-

ary rates of advertising for all advertisements published by him or them in relation to runaway slaves, to be paid in the same manner as is now prescribed by law for advertisements of runaway slaves.

SEC. 4. That the person publishing the advertisement under the provisions of this act, shall, at the end of each advertisement, publish the amount he is entitled to for such advertisement, and it shall be the duty of the sheriff of each county to collect such amount as other expenses of said runaway slave, and when so collected, to pay the same over to the person publishing such advertisement.

SEC. 5. That all laws in conflict are hereby repealed.

Report received, and the accompanying bill read the first time.

On motion of Mr. Oates, the rules were suspended, and the bill read the second time.

Mr. Carrigan moved to amend by an additional section, to-wit:

SEC. —. In addition to advertising in one particular paper, also to be advertised in some paper in the same county, or in the nearest paper to said county.

Which amendment was lost.

On motion of Mr. Oates, the rules were suspended, the bill read the third time by title, and passed.

Mr. Oates, from the committee on judiciary, made the following

REPORT:

Mr. PRESIDENT—

The judiciary committee to which was referred House bill No. 165, to be entitled "an act to establish nine judicial circuits in this state," have had the same under consideration, and have instructed me to report the same back to the Senate and recommend its passage.

OATES, *Chairman.*

Which report was received; and

On motion of Mr. Lemoyne, the bill was referred to the committee of the whole, and made the special order for Wednesday next, at 10 o'clock a. m.

Mr. Oates, further from the committee on judiciary, made the following

REPORT:

Mr. PRESIDENT—

The judiciary committee to which was referred Senate bill No. 90, to be entitled "an act to increase the compensation of the associate justices of the county courts of Randolph and Greene counties," have considered the same, and have instructed me to report the same back to the Senate and recommend its passage.

OATES, *Chairman*.

Report received, and on motion of Mr. Davies, the bill was read the third time and passed.

Mr. Oates also made the following

REPORT:

Mr. PRESIDENT—

The judiciary committee to which was referred House bill No. 32, to be entitled "an act to amend chapter 126 of Gould's Digest," have considered the same, and I am instructed to report the same back to the Senate with the following amendment, and as amended, to recommend its passage.

Amend 1st. After the word "peddle" in the 5th line of first section insert, "either on foot, in wagons, on boats, or in any other way whatever."

Amend 2d, by adding another section after the 2d section, as follows:

SEC. 3. *Be it further enacted*, That any person or persons hawking and peddling under the provisions of this act, shall, upon demand being made by any person, exhibit to said person so making the demand, the license under and by virtue of which he, she or they may be hawking and peddling.

OATES, *Chairman*.

On motion of Mr. Oates, said amendments were severally adopted.

On his further motion, the bill was read the third time as amended and passed.

Mr. Oates, further from the committee on judiciary, made the following

REPORT:

Mr. PRESIDENT—

The judiciary committee to which was referred Senate bill No. 54, to be entitled "an act to prescribe the duties of the

courts of this state in relation to amendments," have considered the same, and I am instructed to report the same back to the Senate and recommend its passage.

OATES, *Chairman*.

Report received, and on motion of Mr. Oates, the bill was read the third time and passed.

Mr. Oates, further from said committee, made the following

REPORT:

Mr. PRESIDENT—

The judiciary committee to which was referred Senate bill No. 105, to be entitled "an act to provide for the sale of runaway slaves confined in the penitentiary," have considered the same, and have instructed me to report the same back to the Senate with an amendment, and as amended, to recommend its passage.

OATES, *Chairman*.

Amendment:

SEC. 4. *Be it further enacted*, That when the purchase money for any slave sold under the provisions of this act shall have been paid into the state treasury, all the expenses incident to the taking up and keeping and advertising of said slave, under this act and existing laws, not inconsistent herewith, shall be paid out of such purchase money—and it shall be the duty of the auditor of public accounts to audit the accounts so allowed to be paid, and when satisfied of their correctness and justness, to draw his warrant upon the treasury for such amount as he may find to be correct, in favor of the person or persons to whom the same is due and owing—and such amount shall be paid by the treasurer, out of the purchase money of such slave or slaves—and in no case shall more be paid than such slave or slaves may have sold for.

Which report was received, and on motion of Mr. Oates, the amendment was adopted.

On his further motion, the bill, as amended, was read the third time and passed.

Mr. Oates, from the judiciary committee, made the following

REPORT:

Mr. PRESIDENT—

The judiciary committee, to which was referred Senate bill No. 97, to be entitled "an act to incorporate the Factory

Fire company, of Royston, in Pike county, Arkansas, and to regulate the same," have had the same under consideration, and have instructed me to report the same back to the Senate and recommend its passage.

O. H. OATES, *Chairman
of Judiciary Committee.*

Which report was received, and on motion of Mr. Pennington, the bill was read the third time and passed.

Mr. Oates, further from said committee, made the following

REPORT:

Mr. PRESIDENT—

The judiciary committee, to which was referred House bill No. 175, to be entitled "an act to prevent the poisoning of any lake or stream, or well or spring of water, for the purpose of killing fish, stock, or for any other purpose," have considered the same with the amendment proposed thereto, and have instructed me to report the same back to the Senate and recommend the adoption of the amendment, and as amended to recommend the passage of the bill.

OATES, *Chairman.*

Which report was received, and on motion of Mr. Oates, the amendment was adopted, and the words "well or spring," stricken out of the bill and the title thereof.

On his further motion, the bill was read the third time, as amended, and passed.

Mr. Oates, further from the judiciary committee made the following

REPORT:

Mr. PRESIDENT—

The judiciary committee to which was referred Senate bill No. 114, to be entitled "an act to provide for the apprehension of certain criminals," have considered the same, and have instructed me to report the same back to the Senate and recommend its passage.

OATES, *Chairman
judiciary committee.*

Which report was received.

Mr. Craighead moved to recommit the bill to the committee on judiciary.

Mr. Askew moved to read the third time.

The question was stated on Mr. Craighead's motion and decided in the affirmative.

The hour of 12 o'clock, m., having arrived, special order Senate bill No. 116, to be entitled "an act to amend the common school laws, to create the office of state superintendent of common schools, and define his duties," was taken up and read for information.

The bill being subject to amendment, Mr. Oates offered to amend section 35 by striking out, in the first line of said section the word "governor," and insert in lieu thereof the words "general assembly," and strike out the word "appoint," in said first line of said section, and insert the words "elect," and in the last line of said section, strike out the word "appointed," and insert in lieu thereof the word "elected."

And at the close of said section, add:

"And in case the office of state superintendent shall at any time, when the General Assembly is not in session, become vacant by death, resignation or otherwise—the governor shall appoint his successor, who shall be governed by the same laws and entitled to the same pay as his predecessor, who shall hold his office until his successor shall be elected and qualified, under the provisions of this act.

On motion of Mr. Miller, the bill and amendments were recommitted to the committee on education.

On motion of Mr. Pennington, the Senate took a recess until 2½ o'clock, p. m.

At 2½ o'clock p. m. the Senate met.

Roll called.

P R E S E N T :

Messrs. Askew, Carrigan, Craighead, Davies, Douglas, Lemoyne, McAlexander, McCreery, Mecklin, Mitchell, Oates,

Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—18.

Mr. Watkins, from the committee on federal relations, presented the following minority

REPORT:

Mr. PRESIDENT—

It is with heart felt grief that the undersigned minority of the committee on federal relations find themselves constrained to report their inability to agree with the majority in recommending the convention bill, which they have framed and reported. The whole committee desired, or were willing that a convention should be held—but the bill in substance, provides that a convention, empowered to determine what course this state shall pursue in the present political crisis, and composed of 75 delegates, elected by the people, without making any provision for ascertaining, and without regarding whether the people are willing or not to commit so tremendous a power over their most important interests to any convention, or to any 75 men whatever. Nothing is left to their choice but what that set of 75 men shall have control of their fate. They have no way to make their numbers and wishes known, and no means of making their voice for or against a convention heard. Should two-thirds of all the voters in the state be unwilling to trust a convention of any 75 men, whatever, with the power to break up their connection with the federal government and annex thereto a new and unknown government, (and such power the convention will have, or it will be inadequate to the purposes for which it is designed) that great majority could not prevent it. All they could do would be to vote or to refuse to vote for delegates. In either case the delegates would be elected and the convention held. The most overwhelming vote for delegates will afford no evidence that the people are willing to be bound by their action—as voting or not voting, by the majority, could have no effect in causing or preventing the convention. Those who are against it would be as apt as those who are for it, to vote for delegates. How then, or from whom will the convention derive its title to determine what course the state shall pursue in the present political crisis, which includes a power changing material features in our form of government. The right to alter the form of a government is one of those inherent rights of the people, which no constitution has given, which no constitution has taken away, and which belong to the people of all governments, whether free or despotic, though tyranny has often been able, by fraud or force, to restrain or prevent the

exercise of it. The legislature can neither exercise that right nor empower a convention to act upon it, because it is a reserved right inherent in the people and excepted out of the constitution, which our legislature is sworn to support. Unquestionably the people can do so. But the last time they have spoken their voice was heard through the constitution, recognizing their allegiance to the Union—and the bill precludes from them all question and response on that subject. The bill will not allow them to declare whether or not they now wish to change a government which they formerly declared was their choice. The convention is not called by the people, nor will the bill allow that it shall be sanctioned by the people by allowing them to vote for it with the powers aforesaid—or to reject it. A convention not authorized and sanctioned by the votes of a majority of the people can have no authority unless the legislature confers it in derogation of the rights of the people and in violation of the constitution. The minority believe the farthest the legislature can go is to facilitate the exercise of this reserved right of the people by providing means for ascertaining the will of the majority of them by framing the questions to be proposed to them, appointing a day for their voting thereon, and conditionally providing for the election, meeting and pay of delegates, and such things, in case it be decided by them that there shall be a convention. So far the minority are and have been ready to go. They therefore recommend that the bill be amended by adding a section providing that the question of convention or no convention, be submitted to them and the convention be held or not according to the wish of a majority of all the voters in the state.

THOS. B. CRAIGHEAD,
W. W. WATKINS,
ROBT. W. MECKLIN,
A. H. CARRIGAN,
JOHN H. ASKEW.

On motion of Mr. Oates, said minority report was referred to a committee of the whole, and on his further motion, the Senate pursuant to previous order, resolved itself into such committee to consider of Senate bill No. 130, to be entitled "an act to call a state convention;" Mr. Rosson taking the chair.

After some time spent in deliberation, the committee arose, and through their chairman reported progress; but not having completed their consideration of said bill, asked leave to sit again at 2½ o'clock, p. m. to-morrow.

On motion of Mr. Oates, the report was adopted and the leave granted.

On motion of Mr. Watkins, the Senate adjourned until 9½ o'clock to-morrow morning.

THOS. FLETCHER,
President.

TUESDAY, *January 8th*, 1861.

The Senate met pursuant to adjournment.

Roll called, and the following senators answered to their names.

P R E S E N T :

Messrs. Askew, Carrigan, Craighead, Davies, Douglas, Fagan, Gray, Lemoyne, McAlexander, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—22.

The journal of yesterday was read, approved and signed.

Mr. Fagan, from the committee on enrollments, made the following

REPORT:

Mr. PRESIDENT—

The committee on enrollments, have examined “an act to incorporate the Arkadelphia Female College,” and find the same correctly enrolled.

FAGAN, *Chairman*

Committee on Enrollments.

Which report was read and received.

Motions and resolutions were in order.

Mr. Davies offered the following joint

RESOLUTION:

Be it resolved by the General Assembly of the State of Arkansas, That the two houses go into the election of officers to

the board of education for the State of Arkansas, as provided for in chapter 26 of Gould's Digest, on Saturday, the 12th inst., at 12 o'clock.

Said resolution was read the first time.

Mr. Davies moved a suspension of the rules for the second reading of the resolution; which motion was lost.

The following message was received from the House of Representatives by their clerk:

Mr. PRESIDENT—

I am instructed to inform your honorable body that the House has passed the following House bills, viz:

No. 272, entitled "an act to incorporate the Jacksonport and Arkansas Central Railroad Company."

No. 273, entitled "an act to regulate the practice of medicine in the State of Arkansas."

No. 44, entitled "an act for the relief of persons holding swamp land scrip which is out of date."

No. 274, entitled "an act to extend the limits and amend the charter of the town of Monticello."

No. 276, entitled "an act to amend section 52, of chapter 147, of Gould's Digest, and for other purposes."

No. 277, entitled "an act to allow free negroes and mulattoes to become slaves."

No. 278, entitled "an act for the benefit of Cane Hill College and Cane Hill Female Seminary in Washington county."

No. 279, entitled "an act to change the county line between the counties of Conway and Pulaski."

Said 8 House bills are herewith transmitted for the assent of your honorable body, which is respectfully asked.

The House of Representatives have adopted House joint resolution No. 20, proposed amendment to the constitution, by a vote of 50 yeas to 15 nays.

Said resolution is herewith transmitted for the concurrence of your honorable body, which is respectfully asked.

The House of Representatives have assented to Senate bill No. 77, entitled "an act to incorporate the town of Searcy, in White county."

Also, Senate bill No. 128, entitled "an act to amend the charter of Des Arc, in Prairie county."

Also, Senate bill No. 49, entitled "an act to incorporate the Arkadelphia Female College."

Said 3 bills are herewith returned.

The House of Representatives have concurred in Senate amendment to House joint resolution to adjourn the General Assembly *sine die*, by inserting the 21st instead of the 19th of January.

Also, to Senate amendments to House bill No. 69, entitled "an act to increase the amount of the bond of the treasurer and auditor of the State of Arkansas." •

S. M. SCOTT, *Clerk of*
House of Representatives.

Mr. Fagan, from the committee on enrollments, made the following

REPORT:

Mr. PRESIDENT—

I have the honor to report that on this the 8th day of January, 1861, I handed to the governor for his consideration, "an act to amend chapter 137 of Gould's Digest under the head of 'Public Printing.'"

Also, "an act to incorporate the Trustees of the Benton Male and Female Academy in this state."

And "an act to incorporate the Arkadelphia Female College."

FAGAN, *Chairman.*

Which report was read and received.

Mr. Oates, from the committee on judiciary, made the following

REPORT:

Mr. PRESIDENT—

The judiciary committee, to which was referred House bill No. 166, to be entitled "an act to aid the foreclosure of the stock mortgages given to secure stock subscriptions to the Real Estate Bank of the State of Arkansas," have had the same under consideration, and have instructed me to report the same back, with three several amendments, and, as amended, to recommend its passage.

OATES, *Chairman.*

AMENDMENTS:

1st. Before the word "cash" in the 6th line of section 11, insert the words "one-third in;" and after the same word insert the words "and for one-third upon a credit of twelve months, and for the remaining third upon a credit of twenty-four months, for which credits, notes shall be given to the State of Arkansas, with interest from their date at eight per cent. per annum, and with good personal security, and the lien of the stock mortgages shall be preserved in full force until said notes are paid."

2d amendment. Strike out section 14, and insert as follows: "When any of said lands shall be redeemed, the master or commissioner shall give the redemptioner a certificate of redemption, showing the amount that he is to pay therefor, which shall authorize the state treasurer, upon its presentation, to receive the money, for which he shall give triplicate receipts, one to be presented to the master or commissiner, which shall entitle the redemptioner to an entry of satisfaction of the mortgage where it is recorded, to be made by the recorder of the county, the second receipt shall be filed in the office of the clerk of the chancery court, and the third in the office of the auditor of public accounts, and when any of said lands shall be sold, under the provisions of this act, the master or commissioner shall give the purchaser a certificate of sale showing the amount he is to pay in cash, and the amounts for which he is to execute his notes, as provided in section eleven of this act, for which money and notes the treasurer shall give the purchaser three receipts, which shall be disposed of in the manner above provided for in this section. And upon the payment of the notes, the purchaser shall be entitled to a master's or commissioner's deed, for the lands bought by him, which shall be made by the order and under the direction of the chancery court, named in this act."

3d amendment. After the word "and," in the fifth line of section 15, insert the words "after the sale of the lands."

Mr. Oates moved to adopt the first amendment.

Mr. Clark appeared and took his seat.

Mr. Lemoyne moved to recommit the bill and amendments to the committee on judiciary; which motion was lost.

Mr. Terry offered to amend the 11th section by adding—

"That each tract of land shall bring the amount for which it may be liable under the pro rata decree as rendered by the court of chancery for Pulaski county."

Mr. Askew moved to adopt the amendment.

Mr. Fagan moved to refer the bill and amendments to the committee of the whole, and to make them the special order for Thursday next at 12 o'clock, m.; which motion was lost on a division—9 voting in the affirmative and 11 in the negative.

After some discussion, the bill and amendments were, on motion of Mr. Oates, made the special order for 10 o'clock, a. m., Thursday.

Mr. Fagan, from the committee on enrollments, made the following

REPORTS:

Mr. PRESIDENT—

The committee on enrollments have examined “an act to amend the charter of Des Arc, in Prairie county,” and find the same correctly enrolled.

FAGAN, *Chairman.*

Mr. PRESIDENT—

I have the honor to report that on to-day, the 8th January, 1861, I handed to the governor for his consideration, “an act to amend the charter of Des Arc, in Prairie county.”

FAGAN, *Chairman.*

Which reports were read and received.

Mr. President announced the hour for special order, House bill No. 196, to be entitled “an act to invest the proceeds of the sales of all the swamp and overflowed lands that have been or may hereafter be made in the Clarksville swamp land district, as stock in the Fort Smith branch of the Cairo and Fulton railroad company, and in the North-western Border railroad company.”

Said bill was taken up and read for information.

Mr. Lemoyne was called to the chair.

On motion of Mr. President, a call of the Senate was ordered, when it appeared that Mr. Craighead was absent without leave.

On his further motion, the door-keeper was instructed to procure the attendance of Mr. Craighead; and soon returned with the absentee.

Mr. Watkins moved to take a recess until 2½ o'clock, p. m.

Mr. Oates moved to amend by saying 3 o'clock, p. m.; which amendment was accepted by Mr. Watkins, and the motion adopted.

At 3 o'clock, p. m., the Senate was called to order by the President.

Roll called.

P R E S E N T :

Messrs. Craighead, Douglas, Mecklin, Mitchell, Rosson, Terry, Trimble, Watkins and Mr. President—9.

Mr. President announced that there was not a quorum present, and instructed the door-keeper to procure the attendance of the absentees.

In a short time the following senators appeared and answered to their names:

Messrs. Askew, Carrigan, Fagan, Gray, Lemoyne, McColloch, Miller and Pennington—8.

A quorum.

On motion of Mr. Askew, the Senate adjourned until 9½ o'clock to-morrow morning.

THOS. FLETCHER,
President.



WEDNESDAY, *January 9th*, 1861.

"The Senate met pursuant to adjournment.

Roll called.

P R E S E N T :

Messrs. Askew, Belser, Carrigan, Craighead, Davies, Douglas, Fagan, Gray, Lemoyne, McAlexander, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—23.

The journal of yesterday was read, approved and signed.

Mr. Fagan presented the following resolutions, adopted by a meeting of the citizens of Saline county, to-wit:

WHEREAS, Abe Lincoln has been elected President of the United States by a sectional party, whose avowed principles are declared to the world to be to legislate against the rights and institutions of all those states of the United States wherein African slavery exists by law; *And whereas*, the southern states have a common cause to resist the continued aggressions upon their inherent rights as freemen; *And whereas*, we deem it highly essential that the people of the different portions of this state should give free expression to their views and sentiments on the present disturbed condition of our federal relations to the general government; therefore,

Be it, by the people of the county of Saline, in primary convention assembled, resolved, That the people of the different southern states have the same right to extend and expand their institutions into the territories as the northern states have to extend their institutions into the same, and this right should be secured to them, and enforced by the general government, as long as the said territories remain in a territorial condition, and that when the people of a territory have the requisite population, and apply for admission as a state into the Union, as to slavery, they should be admitted with or without slavery, as their constitution may, in that respect, provide.

Resolved, That the general government is one of delegated and limited powers, and can exercise none except those delegated to it in the constitution of the United States, and the claim of the black republican party of the North to legislate and enforce the policy asserted in their platform of principles, is depotic and tyrannical in its character and tendency, totally at variance with the spirit of constitutional and free government; that governments are instituted among men to protect, and not destroy the property of its citizens, and that said platform declares a principle of government which, as such would, in our judgment, be beyond that of even a sovereign state, viz: to legislate against the rights of the citizens of a division of its domain to their property, much less can the United States, which has more limited delegated powers to do so.

Resolved, That the condition of our federal relations absolutely require that the General Assembly of this state make immediate provisions for the assembling of a state convention, to take into consideration all matters relating to her connection with the general government at as early day as practicable, allowing sufficient time for the delegates to the convention to canvass their respective counties, in order to become acquainted with the views and sentiments of their respective constituents, and that, in our view, such convention should be composed of

the number of representatives in the lower house of the General Assembly of this state, apportioned, respectively, in about the same way as the present representatives of said lower house, and that, in the meantime, until the assembling of said convention, our senators and representatives in the Congress of the United States should remain in Congress, and do all in their power to bring about a reconciliation and adjustment of sectional animosity, and the recognition and settlement upon a firm basis, of the constitutional rights of the southern states; which have been so grossly and wantonly violated by the northern states.

Resolved, That we cherish a firm and sincere attachment to the Union of all the states, north and south, of this great nation, that we are profoundly sensible that the union of all the states, under the present constitution of the United States, when its provisions are carried out in its true spirit, is the firmest and surest basis for prosperity and security at home, as a people, and respect and protection abroad, and is even one of the main bulwarks for the preservation of our liberties, and that our northern states should ever be reminded that we are ready and willing to adjust the existing difficulties between us, and live in peace and amity on an equality, as states, but not otherwise.

Resolved, That the southern states, having a common cause, in resisting the encroachments of the northern states upon their rights, we are in favor of consultation with the respective southern states, in order to effect a concert and union of action of all of them.

Resolved, That provisions should be made by the present General Assembly, to organize, arm and equip the militia of this state, with as little delay as possible, without resort to further taxation at present for that purpose.

Which resolutions were, on motion of Mr. Fagan, referred to the committee on federal relations.

Mr. Watkins presented the following resolutions, adopted at a meeting of citizens of the counties of Marion, Carroll, Newton and Searcy, to-wit:

WHEREAS, By the constitution of the United States, the objects of which are to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity—the people of the United States did enter into a bond of union, which has so far succeeded in the accomplishment of its objects in that we have grown to be a great and prosperous people; *And whereas*, by the recent election of President and Vice President of the United States, the country has been violently agitated, the perpetuity

of the general government endangered—the peace and prosperity of our country imminently imperiled, and the social relations of our people involved in almost inextricable difficulties; therefore, be it

Resolved, That we regard the continuous agitation of the slavery question, by partizan demagogues, both North and South, as a means of self-aggrandizement, unworthy the patriot and statesman.

2d. That the perpetuity of the general government should, and of right ought to be preserved; that we regard the prospective disruption of the United States as one of the most dire calamities that could befall the American people.

3d. That a suspension of commercial intercourse with the North would but tend to alienate and estrange those who, by a less rigid course might preserve and maintain a feeling of reciprocity, by which peace and prosperity would again prevail.

4th. That we will abide by the constitution, and will support the President in the discharge of all constitutional duties.

5th. That we do not regard the election of Mr. Lincoln to the presidency as a just cause for a dissolution of the Union.

6th. That the doctrine of secession, as taught in the resolutions of 1798-'9 is dangerous, and calculated to subvert the ends and aims of the articles of confederation.

7th. That we are opposed to the present and unconstitutional secession, and regret the position taken by our representative in Congress, the Hon. T. C. Hindman, in favor of immediate secession.

8th. That we disapprove of the appropriation, by our legislature, of \$250,000 for the purchase of arms and munitions of war, as recommended by Hon. T. C. Hindman.

9th. That the secretary furnish our members in the legislature with a copy of these resolutions, and that they are hereby requested to forward to the Hon. T. C. Hindman a copy thereof.

10th. That the Little Rock papers be requested to publish these resolutions.

On motion, the resolutions were separately read and unanimously adopted.

The committee also reported the following preamble and resolutions, which were unanimously adopted:

WHEREAS, The prosperity of a people is evinced by their commercial intercourse; and whereas, a line of policy drawn by sectional divisions, detrimental to a free intercourse, is unwise and impolitic, therefore to be ignored; *And whereas*, The passage of a bill now before the legislature of the State of Arkansas, entitled a "relief bill," suspending the collection or payment of any debt except for taxes, by suit or legal proceedings in any court in this state, or by any process that has been, or

may be issued therefrom, for, and during the term of two years, is subversive of our interests. Therefore, be it

Resolved, 1st. That we view the measure as an unconstitutional act, therefore of no force nor virtue.

2d. That the members of the legislature from the counties of Carroll, Marion, Newton, and Searcy, be requested to lay before their respective bodies this preamble and resolutions.

3d. That should the bill have passed and become a law before the date hereof, they use their united influence in its repeal.

Which resolutions were, on motion of Mr. Watkins, referred to the committee on federal relations.

Mr. McAlexander presented the petition of 81 citizens of Fulton and Marion counties, praying the passage of an act declaring the Big North Fork of White river a navigable stream, etc., etc.

No. 134. Which petition was accompanied by a bill to be entitled "an act declaring so much of the Big North Fork of White river, from the Missouri state line to its mouth, a navigable stream."

Which bill was read the first time.

On motion of Mr. McAlexander, the rules were suspended, the bill read the second time by title, and referred to the committee on counties and county lines.

The following message was received from the House by the clerk:

Mr. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have passed the following Senate bills, to-wit:

No. 88, to be entitled "an act to authorize the clerk of the circuit court and ex-officio recorder of Randolph county, to transcribe the assessment lists of said county."

No. 70, to be entitled "an act to permit certain free negroes and mulattoes, still in the state, to remain until the first day of January, 1863."

No. 52, to be entitled "an act for the relief of John D. Adams."

No. 68, to be entitled "an act to authorize change of streets in section 16, in township 7 south, range 19 west."

No. 2, to be entitled "an act to define the punishment of crimes in certain cases."

No. 91, to be entitled "an act for the relief of Mary Elizabeth and Susan Frances Millner."

No. 94, to be entitled "an act for the relief of Duke Marlow and Andrew Beal."

Said seven Senate bills are herewith returned.

The House of Representatives have concurred in Senate joint resolution No. 12, for the establishment of several mail routes in north-eastern Arkansas.

Also, Senate joint resolution No. 13, relative to a mail route from Pine Bluff to Fair Play, in Hot Spring county.

Said two resolutions are herewith returned.

The House of Representatives have amended Senate bill No. 106, entitled "an act to reorganize the corporation of the town of Washington," and as amended, have assented to the same."

Said bill is herewith returned, and the amendments thereto attached, in which the concurrence of your honorable body is respectfully asked.

The House of Representatives have passed the following House bills, to-wit:

No. 264, to be entitled "an act to authorize the governor to issue arms to the volunteer military companies of this state, and for other purposes."

No. 280, to be entitled "an act to grant a charter to N. Floyd, A. J. Jones and James Low, to make a turnpike through the counties of Hot Spring, Clark, Montgomery, Pike and Sevier."

Said two House bills are herewith transmitted for the assent of your honorable body, which is respectfully asked.

The House of Representatives have adopted the following joint resolution:

Resolved, That the two houses of this General Assembly meet in convention, on Saturday next, at 11 o'clock, a. m., for the purpose of electing a public printer for the state, and that the Senate be requested to concur herein.

The House of Representatives have concurred in Senate amendment to House bill No. 177, entitled "an act for the relief of the county of Van Buren."

The House of Representatives have refused to concur in the amendment of the Senate to House bill No. 151, entitled "an act to provide for the election of a tax assessor for Phillips and Jackson counties;" said amendment being to strike out Jackson county.

Said bill, and amendment thereto attached, is herewith returned for the further consideration of your honorable body, which is respectfully asked.

S. M. SCOTT, *Clerk of*
House of Representatives.

Mr. President annouced the hour for special order, House bill No. 165, to be entitled "an act to establish nine judicial circuits in this state."

Said bill was taken up and read for information.

On motion of Mr. Watkins, the bill was read the third time.

Mr. Gray desired to amend the bill.

Mr. Fagan moved to reconsider the vote ordering the bill to its third reading, which motion prevailed on a division, 13 in the affirmative and 4 in the negative.

Mr. Gray then offered the following amendments:

Amend by striking the county of Poinsett from the 1st judicial circuit, and adding it to the 3d judicial circuit.

Also, by striking the county of Arkansas from the 2d judicial circuit and adding it to the 1st judicial circuit.

Also, by striking the county of Dallas from the 5th judicial circuit and adding it to the 2d judicial circuit.

Also, by striking the county of White from the 7th judicial circuit and adding it to the 5th judicial circuit.

Mr. McCreery moved to recommit the bill and amendments to the committee on the judiciary.

Mr. Oates moved to amend said motion by saying that the committee be instructed to report upon the times for holding the circuit courts.

The motion of Mr. McCreery was stated and lost.

On motion of Mr. Terry, the amendments offered by Mr. Gray, were laid on the table.

Mr. Mitchell offered to amend the bill by attaching Marion county to the 7th judicial circuit.

Which amendment was, on motion of Mr. Fagan, laid on the table.

Mr. Mitchell moved that the bill be laid on the table until the 4th of July next; which motion was lost.

On motion of Mr. Terry, the bill was read the third time.

Mr. Askew called for the ayes and nays on the passage of the bill, which call was sustained and ordered with the following result:

YEAS—Messrs. Askew, Belser, Carrigan, Davies, Fagan, Lemoyne, McAlexander, McColloch, Mecklin, Miller, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—16.

NAYS—Messrs. Craighead, Douglas, Gray, McCreery, Mitchell, Oates and Pennington—7.

So the bill passed.

Mr. Rosson, on leave, from the committee on swamp and overflowed lands, made the following

REPORT:

Mr. PRESIDENT—

The committee upon swamp and overflowed lands, to which was referred House bill No. 194, have considered the same, and with the following amendments, recommend its passage:

Amendment 1st. Strike out the following words in section 3, "or sepe water off the lands therein."

Amendment 2d. Strike out the following words in section 17: "Which assessment shall be final and conclusive."

Amendment 3d. Strike out all of section 8, and insert the following sections in lieu thereof.

ROSSON, *Chairman.*

Be it further enacted, That in order to raise the funds necessary to accomplish the objects of this act, the county court of said county shall be, and is hereby empowered to impose, by a vote of a majority of all the justices of the peace in said county, a special levee tax not exceeding the rate of 20 cents per acre in any one year upon all the taxable lands in said county, which are susceptible of being enhanced in value, directly or indirectly by the making of levees, except lands lying between a levee and the river, and to cause the same to be recorded in said court, set down in a separate column on the tax books, and the collection thereof shall be made and enforced according to the general law, for the collection of taxes, modified by the provisions of this act.

And for prevention as far as practicable of all doubt and litigation as to whether the lands entered in the swamp land office before the repeal of the 14th section of the swamp land act of January 6th, 1851, are taxable for the purposes of this act, and in order that said court may not be discouraged from imposing any levee tax by the fear of unjustly enhancing the value of these lands at the sole and exclusive expense of the owners of other lands not more benefited thereby.

Be it enacted, That when the owner of any lands claimed by him to be exempt from taxation, shall have filed or caused to be filed in the clerk's of said court, his written consent, signed with his name, and attested by one witness, that the said

lands may be taxed for the purpose of making levees, the same shall be recorded and is hereby made and shall be considered to be a legal and valid relinquishment of all right to hold said lands free from taxation for the purposes of this act, without prejudice to any claim he may have to hold the same exempt from taxation for any other purpose, and the levee tax imposed on said lands shall be a lien thereon, and the collection of the same shall be made and enforced as if said claim of exemption had never been made or existed; and administrators, executors and guardians holding in trust and managing swamp lands for others, are hereby authorized, when in their opinion, said lands of others in their charge would be enhanced in value by the making of levees, to file their written consent for the taxation thereof for the purposes of this act, in the form and manner aforesaid, and the same shall be recorded and interpreted and be followed with all the incidents and consequences above mentioned.

Be it further enacted, That in case the said county court deem it necessary to ascertain with more accuracy all the lands subject to taxation for making the said levees, and to make out a more complete list thereof than the records before said court furnish, the said court is hereby authorized to appoint an agent for that purpose.

Be it further enacted, That when land is offered for sale for non-payment of any tax laid thereon under the provisions of this act, and nobody will give as much therefor as the tax due thereon and the costs, the said land shall be struck off to said county, which shall be considered the purchaser thereof, or may be bid off by an agent for that purpose, appointed by the court, and in either case shall be paid for by a credit in favor of the owner thereof to the full amount of the taxes due thereon, and in either case the land so purchased shall be held in trust for the increase of the fund for making and repairing levees.

Strike out all of section 24, and insert the following in lieu thereof:

Be it further enacted, That in order to construct needful levees in Mississippi county, the county court thereof is hereby invested with equal and similar powers to those hereinbefore conferred on the county court of Crittenden county for making levees therein, with the difference that the same county court of Mississippi county shall not be able to impose any special levee tax exceeding the rate of 10 cents per acre in any one year, nor without the concurrent vote of two-thirds of the justices of the peace of the said county, their names and votes being recorded, and that said court shall, at its discretion, order and cause to be laid out any number of levee districts not less than 3 nor more than 5, and that all the provisions of this act

be in force in Mississippi county, with such changes as shall make the same applicable thereto, and with the difference that the jurors herein mentioned shall not be paid \$2 per day, but such price as the last said court shall direct, and all hands subject to work on roads according to the general law of this state.

ROSSON, *Chairman*.

Which report was read and received.

Mr. Rosson moved to adopt the first amendment.

On motion of Mr. Oates, the bill and amendments were postponed for the present.

Motions and resolutions were in order.

Mr. Terry moved that the Senate resolve itself into a committee of the whole to consider of Senate bill No. 130, to be entitled "an act to call a state convention," which motion was stated.

Mr. Askew spoke against the motion, and before closing his remarks, yielded the floor at the request of Mr. Fagan, who moved to take a recess until 2½ o'clock, p. m.; which motion was lost.

Mr. Askew resumed his remarks, and after a lengthy discussion, participated in by several senators, the Senate, on motion of Mr. Watkins, took a recess until 2½ o'clock, p. m.

At 2½ o'clock p. m., the senate met.

Roll called.

P R E S E N T :

Messrs. Askew, Belser, Carrigan, Davies, Douglas, Fagan, Gray, Lemoyne, McAlexander, McColloch, McCreery, Mecklin, Miller, Oates, Pennington, Terry, Trimble, Ward, Watkins and Mr. President—20.

The President stated the question pending to be on the motion that the Senate go into committee of the whole to consider of Senate bill No. 130, to be entitled "an act to call a state convention."

Mr. Oates called for the yeas and nays on said motion, which call was sustained and ordered with the following result:

YEAS—Messrs. Belser, Fagan, Gray, Lemoyne, McAlexander, McColloch, McCreery, Miller, Oates, Pennington, Terry, Trimble, Ward, Watkins and Mr. President—15.

NAYS—Messrs. Askew, Carrigan, Davies, Douglas and Mecklin—5.

So the motion prevailed, and the Senate resolved itself into the committee of the whole to resume the consideration of said bill, Mr. Terry taking the chair at the request of the President.

While the Senate was in committee of the whole, Messrs. Craighead and Rosson appeared and took their seats.

After some time spent in deliberation the committee rose, and through their chairman reported progress, but not having finished the business before them, asked leave to sit again at 2½ o'clock to-morrow evening.

On motion of Mr. Rosson, said report was adopted and the leave granted.

On the further motion of Mr. Rosson, the Senate adjourned until 9 o'clock, to-morrow morning.

THOS. FLETCHER,

President.

THURSDAY, *January 10th*, 1861.

The Senate met pursuant to adjournment.

Roll called.

P R E S E N T .

Messrs. Askew, Belser, Carrigan, Davies, Douglas, Fagan, Gray, Lemoyne, McAlexander, McColloch, McCreery, Mecklin,

Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—22.

The journal of yesterday was read, approved and signed.

No. 135. Mr. Oates, on leave, introduced Senate bill to be entitled "an act for the relief of John J. Jackson."

Read the first time.

On motion of Mr. Oates, the rules were suspended, the bill read the second time by title, and referred to the committee on swamp and overflowed lands.

Motions and resolutions were in order.

Mr. McColloch presented the following resolutions, adopted at a meeting of the citizens of Calhoun county:

WHEREAS, A political crisis has arisen in our country, by which the rights, interests, and constitutional guarantees of the slaveholding states of this confederacy, are very much endangered; therefore, we, the citizens of Calhoun county, irrespective of political association, feeling it to be our duty as citizens and as freemen to assert and maintain our rights, as coequal parties in the general compact of our government, and believing that the election of Abraham Lincoln as President of the United States, by a sectional political party at the North, (whose avowed, ultimate, paramount object is the destruction of our constitutional property,) is the stepping-stone towards the consummation of the ruin of the slaveholding states, if they remain in this Union; therefore,

Be it resolved, 1st. That we believe the time for action has come, and that the rights, interests and future prosperity of the people of the sovereign State of Arkansas can be maintained in the Union no longer; and that our only security is secession from the *unholy alliance*, and, with her sister slaveholding states, to form a *southern confederacy*, to be governed *exclusively* by *white men*, uncontaminated by negro suffrage.

2d. That, in order to give the citizens of the state an opportunity of giving an expression to their sentiments on the vital question, we deem it expedient for our state legislature, now in session, to pass a resolution requiring the executive to issue a proclamation for an election of delegates to form a convention, to meet at as early a day as practicable, to consider and endeavor to secure our rights.

3d. That our representatives of Calhoun county be requested to introduce the above resolutions in the General Assembly at an early day.

4th. That it is the deliberate opinion of this meeting that said convention, when assembled, (by a proclamation of the

governor), should immediately withdraw, from the general government, the powers delegated thereto, and co-operate with the other seceding states in a general convention to form a Southern Confederacy.

5th. That the foregoing resolutions be signed by the chairman and secretary, and forwarded to our representatives in the legislature.

Which resolutions were, on motion of Mr. McCulloch, referred to the committee on federal relations.

On motion of Mr. Gray, House bill No. 272, to be entitled "an act to incorporate the Jacksonport and Arkansas Central Railroad Company," was taken up and read the first time.

On his further motion, the rules were twice suspended, the bill read the second and third times by title, and passed.

Mr. Mecklin, from the committee on enrollments, made the following

REPORT:

Mr. PRESIDENT—

The committee on enrollments having examined "an act to incorporate the town of Searcy, in White county," and report the same correctly enrolled.

ROBERT W. MECKLIN,

one of committee.

Read and received.

On motion of Mr. McCulloch, House bill No. 191, to be entitled "an act to amend an act entitled 'an act to provide for making and repairing levees in Desha and Phillips counties,'" approved the 16th day of February, 1859, was taken up and read the first time.

On his further motion, the rules were twice suspended, the bill read the second and third times by title, and passed.

The following message was received from the House of Representatives by the clerk:

Mr. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have passed the following House bills, viz:

House bill No. 221, to be entitled "an act to erect additional buildings upon the penitentiary grounds, and for other purposes."

Also, House bill No. 285, to be entitled "an act to grant a charter to William L. Menefee to build a toll-bridge across Cadron creek, in Conway county."

Said two bills are herewith transmitted for the assent of your honorable body, which is respectfully asked.

The House of Representatives have concurred in Senate resolution, appropriating for expenses of conveying the body of the late Hon. W. A. Jones to his residence, with an amendment thereto attached; in which the concurrence of your honorable body is respectfully asked.

The House of Representatives have concurred in Senate resolution, making appropriation for expenses incurred at funeral of late Wm. A. Jones.

Said two resolutions are herewith returned.

S. M. SCOTT, *Clerk*

of House of Representatives.

On motion of Mr. Gray, House joint resolution No. 20, proposing an amendment to the constitution of the State of Arkansas, to the effect "that a new county may be formed out of a portion of the territory of the counties of St. Francis and Jackson, provided such new county shall not contain less than 600 square miles, and a population sufficient to entitle it to a representative in the lower house of the General Assembly," was taken up and read the first time, and ordered to take its course under the rules.

Mr. Clark appeared.

Mr. President announced the hour for special order, House bill No. 166, to be entitled "an act to aid the foreclosure of the stock mortgages given to secure stock subscriptions to the Real Estate Bank of the State of Arkansas."

Said bill and the amendments thereto pending were taken up, and the latter were read.

The first amendment reported by the committee on judiciary was, on motion of Mr. Davies, adopted.

The second amendment reported by the committee on judiciary was read, and, on motion of Mr. Oates, adopted.

The third amendment reported by the committee on judiciary was read, and, on motion of Mr. Oates, adopted.

The question was then stated on the adoption of the amendment offered by Mr. Terry, and the same was lost.

Mr. Carrigan offered to amend the 11th section of the bill with the following proviso:

Provided, Said lands shall be offered for sale at the door of the court-house in the counties in which they are respectively situated.

Mr. Oates moved to lay said amendment on the table.

On which motion, Mr. Carrigan called for the yeas and nays.

Call sustained, and ordered with the following result:

YEAS—Messrs. Belser, Clark, McAlexander, Oates, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—10.

NAYS—Messrs. Carrigan, Davies, Douglas, Fagan, Gray, Lemoyne, McColloch, McCreery, Mecklin, Miller and Pennington—11.

So the motion was lost.

Mr. Pennington moved to adopt the amendment.

Mr. Rosson moved a call of the Senate; which motion was lost.

Mr. Rosson called for the yeas and nays on the adoption of amendment, which call was sustained, and ordered with the following result:

YEAS—Messrs. Askew, Carrigan, Craighead, Douglas, Lemoyne, McCreery, Miller and Pennington—8.

NAYS—Messrs. Belser, Clark, Davies, Fagan, Gray, McAlexander, McColloch, Mecklin, Oates, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—15.

So the amendment was lost.

On motion of Mr. Rosson, the bill was read the third time by title, and passed.

The following message was received from the governor:

Mr. PRESIDENT—

I am instructed by the governor to inform your honorable body that, on the 8th day of January, 1861, he approved and signed "an act to amend chapter 137 of Gould's Digest, under the head of 'Public Printing.'"

“An act to incorporate the Trustees of the Benton Male and Female Academy in this state.”

“An act to amend the charter of Des Arc, in Prairie county.”

And, “an act to incorporate the Arkadelphia Female College.”

W. M. MATHENY,

January 10th, 1861.

Private Secretary.

On motion of Mr. McCreery, House bill No. 264, to be entitled “an act to authorize the governor to issue arms to the volunteer military companies of this state, and for other purposes,” was taken up and read the first time.

On his further motion, the rules were suspended, and the bill read the second time, by title.

Mr. Rosson moved to refer the bill to the committee on ways and means.

Which motion was lost on a division—8 voting in the affirmative and 11 in the negative.

After some debate the bill was, on motion of Mr. McCreery, referred to the committee on public expenditures, with instructions to report thereon as early as practicable.

Mr. Fagan, from the committee on enrollments, made the following

REPORT:

Mr. PRESIDENT—

The committee on enrollments have examined the following acts and joint resolutions, and find the same correctly enrolled, to-wit:

“An act for the relief of John D. Adams.”

“An act to authorize a change of streets in section sixteen, in township 7 south, range 19 west.”

“An act to define the punishment of crimes in certain cases.”

“An act for the relief of Duke Marlow and Andrew Beall.”

“An act for the relief of Mary E. and Susan F. Millner.”

“An act to authorize the clerk of the circuit court and ex-officio recorder of Randolph county, to transcribe the assessment lists of said county.”

A resolution for the establishment of several mail routes in north-eastern Arkansas.

A resolution to establish a four horse post coach mail from Pine Bluff to Fair Play, in Hot Spring county.

And a resolution to pay expenses incurred at the funeral of the late Hon. Wm. A. Jones.

Also, "an act to permit certain free negroes and mulattoes still in this state, to remain until the first day of January, 1853."

FAGAN, *Chairman*.

Read and received.

On motion of Mr. Lemoyne, the amendments of the House to Senate joint resolution, making appropriations to pay the expenses of conveying the body of the late Hon. Wm. A. Jones, to St. Francis county, was taken up and read as follows:

1860.	To D. C. FULTON,	
Dec. 7—To	white Marseilles vest.....	\$ 4 50
" " "	Necktie	75
" " "	White silk gloves	50
		\$5 75

On motion of Mr. Oates, said amendment was concurred in by the Senate.

Mr. President announced the hour for special order, Senate bill No. 22, to be entitled "an act for the relief of John Wassell."

Said bill was taken up, and on motion of Mr. Davies, read the third time.

Mr. Gray desired to amend the bill, and on motion of Mr. Oates, the vote ordering it to the third reading, was reconsidered.

Mr. Gray then offered to amend by striking out the words "state treasury" and inserting "out of the proper swamp land districts."

Mr. Pennington offered as an amendment to the amendment to strike out the words "any money in the treasury not otherwise appropriated," and insert "the several districts for which the publishing was done, in swamp land scrip, and the auditor shall adjust and audit the claim of said Wassell accordingly."

Mr. Gray accepted said amendment in lieu of the one offered by him, and the same was adopted on a division—12 voting in the affirmative and 8 in the negative.

On motion of Mr. Oates, the bill was read the third time, as amended.

Mr. McCreery called for the yeas and nays on its passage, which call was sustained, and made with the following result:

YEAS—Messrs. Askew, Clark, Douglas, Lemoyne, McAlexander, McColloch, Mecklin, Miller, Terry, and Ward—10.

NAYS—Messrs. Belser, Carrigan, Craighead, Davies, Fagan, Gray, McCreery, Oates, Rosson, Trimble, Watkins and Mr. President—12.

So the bill did not pass.

On motion of Mr. Clark, the regular order of business was suspended, and House bill No. 196, to be entitled "an act to invest the proceeds of the sales of all the swamp and overflowed lands that have been or may hereafter be made in the Clarksville swamp land district, as stock in the Little Rock and Fort Smith branch of the Cairo and Fulton Railroad company, and in the Northwestern Border Railroad company," was taken up.

Mr. Clark moved to put the bill on its third-reading.

Mr. Craighead moved to take a recess until 2½ o'clock, p. m., but withdrew said motion, at the request of Mr. Rosson, who moved to amend by striking out the 7th section of the bill.

Mr. Clark spoke against the amendment and Mr. McCreery for it, but before a vote was taken on the same, the Senate, on motion of Mr. Askew, took a recess until 2½ o'clock, p. m.

At 2½ o'clock p. m., the Senate met.

Roll called.

P R E S E N T :

Messrs. Askew, Belser, Carrigan, Craighead, Davies, Douglas, Fagan, Lemoyne, McAlexander, McColloch, McCreery, Meck-

lin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—22.

Mr. Fagan, from the committee on enrollments, made the following

REPORT:

Mr. PRESIDENT—

I have the honor to report that, on this the 10th day of January, 1861, I handed to the governor, for his consideration the following acts and resolutions, to-wit:

“An act for the relief of John D. Adams.”

“An act to authorize a change of streets in section 16, T. 7 S. R. 19 west.”

“An act to define the punishment of crimes in certain cases.”

“An act for the relief of Duke Marlow and Andrew Beall.”

“An act for the relief of Mary E. and Susan F. Millner.”

“An act to authorize the clerk of the circuit court and ex officio recorder of Randolph county, to transcribe the assessment lists of said county.”

“An act to permit certain free negroes and mulattoes still in this state to remain until the first day of January, 1863.”

A resolution for the establishment of several mail routes in north-eastern Arkansas.

A resolution to establish a four horse coach mail from Pine Bluff to Fair Play, in Hot Spring county.

A resolution to pay expenses incurred at funeral of the late Hon. Wm. A. Jones.

Also, “an act to incorporate the town of Searcy, in White county.”

FAGAN, *Chairman*
Committee on Enrollments.

Said report was read and received.

Mr. Mecklin, from said committee, made the following

REPORT:

Mr. PRESIDENT—

The committee on enrollments have examined resolution appropriating for the expenses of conveying body of Hon. Wm. A. Jones to his residence, and report it correctly enrolled.

ROBT. W. MECKLIN,
one of Enrollment committee.

Read and received.

Pursuant to previous order, the Senate resolved itself into committee of the whole to resume consideration of Senate bill No. 130, to be entitled "an act to call a state convention," Mr. Rosson taking the chair.

After some time spent in deliberation, the committee arose and, through their chairman, reported progress, but not having completed their consideration of said bill, asked leave to sit again at 2½ o'clock to-morrow evening.

On motion of Mr. Watkins, the report was adopted and the leave granted.

Mr. Fagan, from the committee on enrollments, made the following report:

REPORT:

Mr. PRESIDENT—

I have the honor to report that on this the 10th day of January, 1861, I handed the governor, for his consideration, a resolution appropriating certain sums of money to pay for the conveying the body of late Hon. Wm. A. Jones, to his late place of residence.

FAGAN, *Chairman*
committee on enrollments.

Read and received.

On motion of Mr. Watkins, the Senate adjourned until 9 o'clock to-morrow morning.

THOS. FLETCHER,
President.

FRIDAY, *January 11th*, 1861.

Senate met pursuant to adjournment.

Roll called.

P R E S E N T :

Messrs. Askew, Belser, Carrigan, Clark, Craighead, Davies,

Douglas, Fagan, Gray, Lemoyne, McAlexander, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—24.

The journal of yesterday was read, approved and signed.

Motions and resolutions were in order.

On motion of Mr. Askew, House bill No. 226, to be entitled "an act to empower executors and administrators to hire out slaves at private hiring," was taken up and read the first time.

On his further motion, the rules were suspended, the bill read the second time, by title, and referred to the committee on judiciary.

On motion of Mr. Fagan, House bill No. 231, to be entitled "an act concerning swamp lands," was taken up and read the first time.

On his further motion, the rules were suspended, and the bill read the second time by title.

Mr. Askew moved to amend the bill by inserting after the words "Washington county," the words "and all lands within six miles of the Ouachita river."

Mr. Carrigan moved to amend the amendment by adding the words "Red river."

On motion of Mr. Rosson, the bill and proposed amendments were referred to the committee on judiciary.

On motion of Mr. McCreery, House resolution proposing to go into the election of a public printer, on Saturday 11 o'clock, a. m., was taken up and concurred in by the Senate.

The following message was received from the House of Representatives by their clerk:

Mr. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have passed the following House bills, to-wit:

No. 294, to be entitled "an act for the relief of John D. Belah, of the county of Sevier."

No. 292, to be entitled "an act to incorporate the Brownsville Male Academy."

No. 291, to be entitled "an act for the relief of Luther R. Venable, late sheriff of Van Buren county, and John B. Garrett, former sheriff of Montgomery county."

No. 289, to be entitled "an act to amend section 72, of chapter 149, of Gould's Digest."

No. 287, to be entitled "an act for the benefit of the citizens of Mars' Hill township."

No. 286, to be entitled "an act for the benefit of schools, and the purchasers of school lands in White county."

No. 262, to be entitled "an act amendatory of the attachment laws of this state."

No. 295, to be entitled "an act to revive and put in force an act entitled an act to incorporate the town of Daidanelle, in Yell county, Arkansas, approved 17th January, 1855, and for other purposes."

No. 297, to be entitled "an act to increase the compensation of the presiding judge and associate justices of the county court of Jefferson county."

No. 298, to be entitled "an act to incorporate the town of Springfield, in Conway county, Arkansas."

No. 299, to be entitled "an act amendatory of the law concerning schools and school lands in the counties of Columbia and Prairie."

No. 300, to be entitled "an act to change the time of holding the probate court of Perry county, and for other purposes."

No. 301, to be entitled "an act to pay the judge of the county and probate courts of Monroe county, a regular salary per annum."

No. 303, to be entitled "an act to authorize Elizabeth H. Smith, who is the wife of William S. Smith, to become the guardian of Elizabeth Thalia Crabtree."

No. 305, to be entitled "an act for the relief of Thomas Jelly, of St. Francis county."

No. 306, to be entitled "an act to provide for the election of a tax collector in Chicot county, and a clerk of the county and probate court of said county."

No. 310, to be entitled "an act to allow R. L. Cargile, late sheriff in Conway county, further time to collect back taxes."

No. 307, to be entitled "an act for the benefit and relief of Susan Caroline Brookfield, wife of James C. Brookfield, of the county of Poinsett."

No. 308, to be entitled "an act to incorporate the Helena Agricultural and Mechanical Association."

No. 121, to be entitled "an act to amend an act to amend the common school system in the counties of Drew, Franklin, Yell and Montgomery, approved February 16th, 1859."

No. 302, to be entitled "an act to charter the Arkansas state telegraph company."

No. 311, to be entitled "an act for the relief of citizens of the Choctaw Nation."

No. 312, to be entitled "an act to grant a charter to George

W. Carroll to keep a toll bridge on Point Remove creek in Conway county."

No. 315, to be entitled "an act to authorize the common school commissioner of Washington county to sell sixteenth sections in townships 14 and 15, in range 28 west."

No. 317, to be entitled "an act supplementary to an act entitled an act to encourage internal improvements," approved 3d January, 1861.

Said 25 bills are herewith transmitted for the assent of your honorable body, which is respectfully asked.

The House of Representatives have adopted House joint resolution No. 26.

Said joint resolution is herewith transmitted for the concurrence of your honorable body, which is respectfully asked.

The House of Representatives have concurred in Senate amendment to House bill No. 245, entitled "an act for the benefit of the Union Church and Masonic Hall, near Harold post office, in Montgomery county," to wit:

Strike out, in the last section, the words "in force on and after its passage," and insert "in force from and after the first day of February, 1861."

The House of Representatives have assented to Senate bill No. 9, entitled "an act to authorize the common school commissioners to sell the sixteenth sections at private sale in certain cases."

Also Senate bill No. 101, entitled "an act to incorporate the Little Rock Gas Light company."

Said two Senate bills are herewith returned.

S. M. SCOTT, *Clerk of*
House of Representatives.

Mr. Davies moved to take up Senate joint resolution proposing to go into the election of officers to the board of education, on Saturday, the 12th inst., at 12 o'clock, m.; which motion was lost.

On motion of Mr. Terry, House bill No. 317, to be entitled "an act supplementary to an act entitled an act to encourage internal improvements," approved 3d January, 1861, was taken up and read the first time.

On his further motion, the rules were twice suspended, the bill read the second and third times and passed.

Mr. Clark moved to take up House bill No. 196, to be entitled "an act to invest the proceeds of the sales of all the swamp and overflowed lands that have been, or may hereafter be made in the Clarksville swamp land district as stock in the

Little Rock and Fort Smith branch of the Cairo and Fulton railroad company, and in the Northwestern Border railroad company."

Mr. Rosson called for the yeas and nays, which call was sustained, and made with the following result:

YEAS—Messrs. Carrigan, Clark, Davies, Fagan, Gray, McAlexander, McColloch, Mecklin, Miller, Pennington, Terry, Trimble and Ward—13.

NAYS—Messrs. Askew, Belser, Craighead, Douglas, Lemoyne, McCreery, Mitchell, Oates, Rosson, Watkins and Mr. President—11.

So the motion prevailed, and said bill was taken up and read for information.

The question of Mr. Rosson's motion to strike out the 7th section of the bill was stated, when Mr. Rosson called for the yeas and nays on the same, which call was sustained and ordered with the following result:

YEAS—Messrs. Askew, Craighead, McCreery, Mitchell, Rosson and Mr. President—6.

NAYS—Messrs. Belser, Carrigan, Clark, Douglas, Fagan, Gray, McAlexander, McColloch, Mecklin, Miller, Pennington, Terry, Trimble and Ward—14.

So the amendment was lost.

Mr. Rosson offered to amend the bill with the following proviso:

Provided, That this subscription of stock shall not take effect until after a convention of the state of Arkansas shall be held to determine whether Arkansas shall go out of the Union or not; and if such convention should determine upon a dissolution of the government, and the separate independence of the state, or in favor of the establishment of a southern confederacy, then, and in that event, this act to be of no force.

Which amendment was read, and Mr. McCulloch moved to lay the same on the table, on which motion Mr. Rosson called for the yeas and nays, which call was sustained and ordered with the following result:

YEAS—Messrs. Belser, Carrigan, Clark, Douglas, Fagan, Gray, McAlexander, McColloch, Mecklin, Miller, Pennington, Terry, Trimble and Ward—14.

NAYS—Messrs. Askew, Craighead, McCreery, Mitchell, Oates, Rosson, Watkins and Mr. President—8.

So the amendment was laid upon the table.

Mr. McCreery offered to amend the bill with the following proviso:

Provided, That all the levees built in other districts in which there is not land sufficient to pay for the same, shall be paid for before anything granted in this act shall enure to the benefit of said railroad.

Which amendment was read, when Mr. McColloch moved to lay the same on the table, and called for the yeas and nays thereon.

On motion of Mr. Rosson, a call of the Senate was made, when it appeared that Messrs. Davies, Fagan, Lemoyne, McAlexander and Mitchell were absent without leave.

The door-keeper was instructed to procure the attendance of the absentees.

Messrs. Davies and Mitchell appeared.

On motion of Mr. Clark, a further call of the Senate was dispensed with.

The call for the yeas and nays on the motion to lay Mr. McCreery's amendment on the table was sustained, and ordered with the following result:

YEAS—Messrs. Belser, Carrigan, Clark, Gray, McAlexander, McColloch, Miller, Mitchell, Pennington, Terry, Trimble and Ward—12.

NAYS—Messrs. Askew, Craighead, Davies, Douglas, McCreery, Oates, Rosson, Watkins and Mr. President—9.

So the amendment was laid on the table.

Mr. Rosson moved a call of the Senate; which motion was lost.

On motion of Mr. Clark, the bill was read the third time by title.

On his further motion a call of the Senate was made, when it appeared that Messrs. Davies and Lemoyne were absent without leave.

The President directed the door-keeper to procure the attendance of the absentees.

In a short time the absentees appeared.

Mr. Craighead moved to take a recess until 2½ o'clock, p. m.; which motion was lost.

The President stated the question to be on the passage of the bill.

Mr. Watkins was called to the chair.

Mr. Craighead spoke against the passage of the bill, but before concluding gave way to Mr. Oates, who moved to make the bill the special order for 11 o'clock, a. m., to-morrow; which motion was lost.

Mr. Rosson demanded the yeas and nays on the passage of the bill, which demand was sustained and made, with the following result:

YEAS—Messrs. Belser, Carrigan, Clark, Douglas, Fagan, Gray, McAlexander, McColloch, Mecklin, Miller, Oates, Terry, Trimble and Ward—14.

NAYS—Messrs. Askew, Craighead, Davies, McCreery, Mitchell, Pennington, Rosson, Watkins and Mr. President—9.

So the bill passed.

The following message was received from the governor:

Mr. PRESIDENT—

I am instructed by the governor to report to the Senate that on the 10th day of January, 1861, he approved and signed "an act for the relief of Duke Marlow and Andrew Beal."

"An act to permit certain free negroes and mulattoes in the state to remain until the first day of January, 1863."

"An act to authorize a change of streets in section sixteen, in township seven south, in range nineteen west."

"An act to authorize the clerk of the circuit court and ex-officio recorder of Randolph county, to transcribe the assessment lists of said county."

"An act to define the punishment of crimes in certain cases."

"An act for the relief of Mary Elizabeth and Susan Frances Millner."

Senate joint resolution instructing our senators and representatives in Congress to procure a mail route from Pine Bluff via Turin and Belfast, to Fair Play, in Hot Spring county, to be carried in four horse post coaches tri-weekly.

Senate joint resolution to pay certain expenses, etc., attending the funeral of the late Hon. William A. Jones.

Senate joint resolution instructing our senators and representatives in Congress to procure a semi-weekly mail, etc.,

from Jonesboro, in Craighead county, to Vallonia, in Randolph county, Arkansas, and also, a tri-weekly mail, etc., from Point Pleasant, in New Madrid county, in the State of Missouri, by the way of Nettle's ferry, across Black river, to Vallonia, in Randolph county, Arkansas: also, a tri-weekly mail, etc., from Alton, in Oregon county, Missouri, to the town of Vallonia, Randolph county, Arkansas; and also, a tri-weekly mail, etc., from Pocahontas, in Randolph county, Arkansas, to Martinsburg, in the State of Missouri.

And a resolution to pay expenses incurred in carrying the body of late Hon. Wm. A. Jones, to his place of residence.

W. M. MATHENY,
Private Secretary.

January 11th, 1861.

Mr. Fagan, from the committee on enrollments, made the following

REPORT:

Mr. PRESIDENT—

The committee on enrollments have examined the following acts and find the same correctly enrolled, to-wit:

“An act to incorporate the Little Rock gas light company.”

Also, “an act to authorize the common school commissioner in this state to sell the 16th sections at private sale in certain cases.”

FAGAN, *Chairman.*

Which report was received.

On motion of Mr. Fagan, the Senate took a recess until 2¼ o'clock p. m.

At 2½ o'clock p. m., the Senate met.

Roll called.

P R E S E N T :

Messrs. Askew, Belser, Carrigan, Clark, Craighead, Davies, Douglas, Fagan, Lemoyne, McAlexander, McColloch, McCreery, Mecklin, Miller, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—22.

Mr. Belser, on leave, offered the following joint

RESOLUTION:

Resolved by the General Assembly of the State of Arkansas, That whenever the federal government, by resolutions, force bills, acts or measures, the tendency of which is to coerce a seceding state, shall pass the same into a law, looking to the coercion or subjugation of any state or states of these United States, that then, and in that event, our senators and representatives in Congress be, the former instructed, and the latter requested to vacate their seats in the Federal Congress, and forthwith return to their constituency.

Which was read the first time.

On motion of Mr. Oates, the Senate, pursuant to previous order, resolved itself into committee of the whole, to consider further of Senate bill No. 130, to be entitled "an act to call a state convention," Mr. Rosson taking the chair.

After some time spent in deliberation, the committee arose and through their chairman, reported the following amendments to said bill, asking to be discharged from its further consideration.

Amend the 1st section of the bill fixing the time for election of delegates, by striking out "second Monday of April," and inserting "third Monday of February."

Add at the end of the 1st section the words, "except that there shall be ten days' notice given of the time and place of such election."

Strike out of the 3d section the words, "first Monday of May," referring to the time of the meeting of the convention, and insert "first Monday of March."

On motion of Mr. Oates, the report was adopted, and the committee discharged from the further consideration of the bill.

On motion of Mr. Watkins, the Senate adjourned until 9 o'clock, to-morrow morning.

THOS. FLETCHER,

President.

SATURDAY, *January 12th*, 1861.

Senate met pursuant to adjournment.

Roll called.

P R E S E N T .

Messrs. Askew, Belser, Carrigan, Craighead, Davies, Douglas, Fagan, Gray, Lemoyne, McAlexander, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—23.

The journal of yesterday was read, approved and signed.

No. 130. Mr. Oates moved to take up Senate bill to be entitled "an act to call a state convention."

Which motion was lost on a division—5 voting in the affirmative and 15 in the negative.

On motion of Mr. McColloch, House bill No. 14, to be entitled "an act to invest the swamp and overflowed lands in the Champagnolle swamp land district, as stock in the Mississippi, Ouachita and Red River railroad company," was taken up and read for information.

The bill being subject to amendment, Mr. Oates offered to amend by an additional section, to-wit:

SEC. —. *Be it further enacted*, That when the title to any lands under the provisions of this act shall become vested in said railroad company it shall be required to assess such lands for taxation under existing laws regulating the assessment of taxes in this state, and the amount of taxes so assessed upon such lands shall be paid by said company as other taxes are now paid in the state, and the land shall be liable as other lands are now liable to sale for non-payment of taxes.

Said amendment was read.

Message from the House of Representatives by the clerk:

Mr. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have passed the following House bills, to-wit:

No. 30, to be entitled "an act for the relief of St. Francis county."

No. 91, to be entitled "an act to authorize Thomas Leavett, his heirs or assigns, to establish and keep a ferry across the Mississippi river at Napoleon."

No. 139, entitled "an act to secure to the State of Arkansas her full federal representation in Congress."

No. 249, to be entitled "an act to attach a portion of Crittenden county to the county of Mississippi."

No. 250, to be entitled "an act to enable married women to convey their real estate and relinquish dower before they are twenty years of age."

No. 316, to be entitled "an act to authorize the governor to execute deeds or titles in certain cases."

No. 319, to be entitled "an act to amend the law under the head of garnishment."

No. 170, entitled "an act for the better protection of persons and their property living on the Mississippi river or any other navigable waters within the jurisdiction of the State of Arkansas."

No. 281, entitled "an act to repeal chapter 168 of Gould's Digest."

No. 320, entitled "an act to aid the cause of education in Bradley county."

No. 321, entitled "an act for the benefit of township 14, range 32 west, in Washington county."

No. 116, entitled "an act for the relief of Richard Y. Merchant, of Lafayette county."

Said 12 House bills are herewith transmitted for the assent of your honorable body, which is respectfully asked.

The House of Representatives have adopted House joint resolution No. 27, relative to entries of lands under the graduation act since the — day of March, 1851.

No. 28, relative to the Mountain Meadow massacre.

Said 2 joint resolutions are herewith transmitted for the concurrence of your honorable body, which is respectfully asked.

The House of Representatives have rejected Senate bill No. 31, entitled "an act to repeal section 19, of chapter 99, of the Digest."

Which is herewith returned.

S. M. SCOTT, *Clerk of
House of Representatives.*

Mr. Oates moved the adoption of his amendment, and called for the yeas and nays thereon, which call was sustained and made with the following result:

YEAS—Messrs. Askew, Craighead, Davies, McCreery, Mitchell, Oates, Rosson, Watkins and Mr. President—9.

NAYS—Messrs. Belser, Carrigan, Clark, Douglas, Fagan, Gray, McAlexander, McColloch, Mecklin, Miller, Pennington, Terry, Trimble and Ward—14.

So the amendment was lost.

The following message was received from the House of Representatives by their clerk:

Mr. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have passed House bill No. 326, entitled "an act for the relief of Alexander F. Kendall," sheriff and collector of Jefferson county.

Said bill is herewith transmitted for the assent of your honorable body, which is respectfully asked.

S. M. SCOTT, *Clerk of
House of Representatives.*

Mr. Askew offered to amend the bill under consideration by adding after the word "company," in the twelfth line of the first section, the following: "except such portion of said lands as are situated in the counties of Union and Columbia."

Mr. Askew moved to adopt said amendment, and called for the yeas and nays thereon; which call was sustained, and made with the following result:

YEAS—Messrs. Askew, Craighead, McCreery, Mitchell, Oates, Rosson, Watkins and Mr. President—8.

NAYS—Messrs. Belser, Carrigan, Clark, Davies, Douglas, Fagan, Gray, McAlexander, McColloch, Mecklin, Miller, Pennington, Terry, Trimble and Ward—15.

So the amendment was not adopted.

Mr. Askew again offered to amend by adding after the word "district" in the 6th line of the first section, the words "and all the swamp lands in the Washington district."

Mr. Pennington moved to lay said amendment on the table.

Mr. Rosson demanded the yeas and nays on said motion.

Sustained and ordered with the following result:

YEAS—Messrs. Askew, Belser, Carrigan, Clark, Davies, Fagan, Gray, McAlexander, McColloch, Mecklin, Miller, Oates, Pennington, Terry, Trimble, Ward and Mr. President—17.

NAYS—Messrs. Craighead, Douglas, McCreery, Mitchell, Rosson and Watkins—6.

So the amendment was laid on the table.

Mr. Craighead offered to amend the bill with an additional section, to-wit:

SEC. —. *Be it further enacted*, That whereas the swamp and overflowed lands in the Champagnolle district, which now remain unsold are not needed for making levees and drains needed in said district, but are proposed to be given to said roads; *And whereas*, the said lands were donated by the United States to the State of Arkansas, to enable the said state to make levees and drains needed for reclaiming the swamp and overflowed lands in the state, with an expressed proviso that the proceeds of said lands, whether from sale or in kind, should be exclusively applied, so far as necessary to the making of the levees and drains aforesaid; *And whereas*, near two millions of dollars have been expended on the Mississippi river by individuals who contracted to build levees upon the faith of the state, and to be paid in reclaimed lands, as far as the fund given by the United States would go; *And whereas*, the said levees undertaken by said contractors have been made according to contract; *And whereas*, the lands given them in payment thereof are not yet reclaimed, for want of the further extension of said levees, whereby the water is allowed to overflow the bank of the river, and to run down behind the said levees, rendering the said lands unreclaimed and worthless, and there is no more lands remaining in the Helena district for extending said levees; *And whereas*, there are several gaps and places on which levees have not been made, have been made wider for want of a continuous line of levee in the county of Crittenden and particularly in Mississippi county, and the water flowing through the same not only overflows all the lands behind the levees, and render the lands behind the same valueless, but also flow into the counties of Craighead, Greene and St. Francis, destroying vast tracts therein, useless for want of levees being made in the county of Mississippi; therefore, *Be it enacted*, That two hundred thousand acres of the said land in the said Champagnolle district for making levees in Mississippi county, and seventy-five thousand acres more of said lands to the county of Crittenden for the same purposes in the said county be excepted out of the grant or sale herein made to the said railroad, which road shall only take the residue of the lands in said district remaining after the said 200,000 acres and 75,000 acres herein applied to making said levees.

And be it further enacted, That the lands herein appropriated to making levees and drains in said county be under the direction of the governor and in accordance with the levee law.

Said amendment was read.

Message from the House of Representatives by the clerk:

Mr. PRESIDENT—

I am instructed to inform your honorable body that the

House of Representatives have adopted House joint resolution No. 29, to arm volunteers on the frontier..

Said resolution is herewith transmitted for the concurrence of your honorable body, which is respectfully asked.

I am further instructed to inform your honorable body that the House of Representatives are now ready to receive your honorable body in their hall, for the purpose of going into an election of public printer. .

S. M. SCOTT, *Clerk of*
House of Representatives.

On motion of Mr. Oates, the Senate repaired to the hall of the House of Representatives, and being there seated, the roll was called by order of the President of the Senate, when the following senators answered to their names:

Messrs. Askew, Belser, Carrigan, Craighead, Davies, Douglas, Fagan, Gray, Lemoyne, McAlexander, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—23.

The roll of the House was then called by order of the Speaker, and it having appeared that there was a quorum of both houses present, the object of the convention was stated by the President of the Senate, and nominations for public printer announced in order.

Mr. Terry nominated Johnson & Yerkes.

Mr. Fagan nominated Danley & Holtzman.

Mr. Dunnegan, of the House, nominated P. S. G. Watson.

Mr. Morton, of the House, nominated Thomas C. Peek.

No other nominations were made, and the rolls being called it appeared that on joint ballot, Johnson & Yerkes received 46 votes, 11 in the Senate and 35 in the House; Danley & Holtzman 15 votes, 5 in the Senate and 10 in the House; P. S. G. Watson 7 votes, 2 in the Senate and 5 in the House; Thomas C. Peek 18 votes, 5 in the Senate and 13 in the House.

Those senators voting for Johnson & Yerkes, were

Messrs. Craighead, Davies, McAlexander, Miller, Oates, Pennington, Rosson, Terry, Ward, Watkins and Mr. President—11.

Those senators voting for Danley & Holtzman, were

Messrs. Askew, Carrigan, Fagan, Lemoyne and Mecklin—5.

Those senators voting for P. S. G. Watson, were Messrs. Douglas and McColloch—2.

Those senators voting for Thomas C. Peek, were Messrs. Belser, Gray, McCreery, Mitchell and Trimble—5.

In the House, 1 vote wast cast for M. S. Kennard.

Whereupon, the President of the Senate announced that Johnson & Yerkes, having received a majority of all the vote given, were duly and legally elected public printers of the State of Arkansas for and during the time prescribed by law.

The Senate returned to their chamber.

The following message was received from the governor:

Mr. PRESIDENT—

I am instructed by the governor to communicate to your honorable body the accompanying official dispatch, announcing that the State of Mississippi has seceded from the Union unconditionally, and desires a reunion with the seceding states.

W. M. MATHENY,

Private Secretary.

January 12th, 1861.

DES ARC, ARKANSAS, January 10th, 1861.

By Telegraph from Jackson, Miss., Jan'y 10th, 1861.

To Gov. H. M. RECTOR, Little Rock—

I am instructed by the Mississippi State Convention, to inform you that the State of Mississippi, by a vote of her convention approaching unanimity, has seceded unconditionally from the Union, and desires, on the basis of the old constitution, to form a new Union with the seceding states.

WILLIAM S. BARRY.

The above is a correct copy of telegraphic dispatch received this day.

L. C. BAKER, *Operator.*

Mr. Oates was called to the chair.

Mr. Craighead, being entitled to the floor, resumed his argument, but, before concluding, yielded the floor to Mr. McCreery, who moved to take a recess until 2½ o'clock, p. m.; which motion was lost.

Mr President having obtained the floor, by leave of Mr. Craighead, moved to take up House bill No. 326, to be entitled "an act for the relief of Alexander F. Kendall, sheriff and collector of Jefferson county;" which motion prevailed, and said bill was read the first time.

On his further motion, the rules were twice suspended, the bill read the second and third times by title and passed.

On motion of Mr. President, the Senate took a recess until 2½ o'clock, p. m.

At 2½ o'clock p. m. the Senate met.

Roll called.

P R E S E N T :

Messrs. Belser, Carrigan, Clark, Craighead, Davies, Douglas, Lemoyne, McAlexander, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—22.

Mr. Craighead was entitled to the floor, but yielded the same to Mr. Fagan; on whose motion the bill and amendment pending, were postponed until 10 o'clock, Monday morning.

On motion of Mr. Oates, Senate bill No. 130, to be entitled "an act calling a state convention," was taken up and read for information.

Mr. Watkins offered the following as a substitute for the bill, to-wit:

A bill to be entitled an act to provide for the election of delegates to a state convention.

SECTION 1. *Be it enacted by the General Assembly of the State of Arkansas*, That there shall be held by the qualified voters of this state, on the sixteenth day of February, A. D. 1861, at the several voting places or precincts, in each county in this state, an election for delegates to a convention, to be holden at the state house in the city of Little Rock—at such time as the

governor, in his discretion may think proper to convene them, by his proclamation, for the purpose of taking some action relative to the condition of the Union—said delegates, when assembled in their sovereign capacity, may direct, upon the course to be taken by this state in the present crisis; said election shall be ordered, held, and in every respect conducted in the manner prescribed by law for ordering, holding and conducting special elections in this state, except as hereinafter provided, and each county shall have and elect the same number of delegates to said state convention that it has representatives in the lower house of the General Assembly; *Provided*, at said election the proposition shall be taken *viva voce*, both for the election of delegates, and for or against a convention; the vote shall be “*convention*,” or “*no convention*.”

SEC. 2. That at such election each voter shall, in addition to the name or names of the person or persons, voted for as delegates, vote for *convention* or *no convention*, according to his wish, for or against said convention, and after the closing of the polls the votes shall be counted and returns made to the clerk of the county court, of such votes, for or against the convention, as well as for such delegates, in the manner now prescribed by law for special elections, and such clerk shall open and compare such votes in the same manner and within the same time as in case of special elections; and in like manner, and within the same mode, returns thereof to the secretary of this state.

SEC. 3. That if a majority of the voters of the state—taking the vote of the last gubernatorial election as the vote of the state, so cast as aforesaid, shall be in favor of such convention, it shall then be the duty of the governor to issue his proclamation, convening the delegates so elected, at such time as he may think proper under the circumstances—if necessary to convene. But should a majority of the votes cast be against such convention, the same shall not be held.

SEC. 4. That said delegates, to said convention shall be entitled to and receive the same mileage, and said convention shall have power to appoint its president, and such other officers as it may deem necessary for its organization, and the dispatch of business—who shall receive as compensation for their services the same pay as similar officers of the present General Assembly.

Said substitute was read.

On motion of Mr. Carrigan, a call of the Senate was made, when it appeared that Messrs. Askew and Gray were absent, without leave.

The doorkeeper was instructed to procure the attendance of the absentees.

The Senate took a recess of ten minutes.

The Senate was called to order.

Mr. Askew appeared, and on motion of Mr. Terry, a further call of the Senate was dispensed with.

The question on the adoption of the substitute offered by Mr. Watkins, was stated, and Mr. Watkins called for the yeas and nays thereon, which call was sustained and ordered, with the following result:-

YEAS—Messrs. Askew, Belser, Carrigan, Clark, Craighead, Davies, Douglas, McColloch, Mecklin, Miller, Mitchell, Rosson, Ward, Watkins and Mr. President—15.

NAYS—Messrs. Fagan, Gray, Lemoyne, McAlexander, McCreery, Oates, Terry and Trimble—8.

(Mr. Pennington asked to be, and was excused from voting.)

So the substitute offered by Mr. Watkins was adopted in lieu of the original bill.

Mr. Terry offered to amend the substitute bill by striking out all after the enacting clause, and inserting the following sections, to-wit:

SEC. —. *Be it enacted by the General Assembly of the State of Arkansas*, That the governor shall issue his proclamation ordering an election in all the counties in this state, submitting to the people the question of "convention" or "no convention," to be held on the eighteenth day of February, 1861, which election shall be conducted as state elections are now conducted; *Provided*, That the sheriffs of the several counties shall be required to give but ten days' notice of said election.

SEC. —. *Be it further enacted*, That at said election the people shall also vote for a delegate or delegates to said convention, and each delegate elected shall be made a special returning officer, and shall bring up the certified vote of his county on the question of convention or no convention, which vote from all the counties shall be opened by the governor, in the presence of the delegates or special returning officers aforesaid, on the second day of March, 1861, and if on counting the votes of all the counties of this state it shall appear that a majority of all the votes cast are for a convention, then the governor shall immediately issue his proclamation requiring the delegates elected as aforesaid to convene in the capitol on the following Monday, and organize themselves into a state convention by the election of a president and such other officers as may be required.

SEC. —. *Be it further enacted*, That the delegates, or special returning officers shall be paid mileage at the same rate that members of the General Assembly are paid, to be certified by the president of the convention, if one be organized, and if not, the auditor is required to issue his warrant for the same, taking the mileage accounts of the members of this General Assembly as a guide to regulate the amount to which the delegate, or delegates, coming from the same county, may be entitled.

SEC. —. *Be it further enacted*, That the members of said convention, if it shall be organized, shall be paid in addition to mileage, the same per diem pay that the members of this General Assembly are paid.

SEC. —. *Be it further enacted*, That each county in this state shall be entitled to elect as many delegates to said convention as it is now entitled to members in the lower branch of the General Assembly.

SEC. —. *Be it further enacted*, That upon the organization of said convention, it shall take into consideration the condition of political affairs, and determine what course the State of Arkansas shall take in the present political crisis.

SEC. —. *Be it further enacted*, That this act shall take effect and be in force from its passage.

Which amendment was read, and the question having been stated upon its adoption as a whole, the yeas and nays were demanded thereon, which demand was sustained, and the roll called with the following result:

YEAS—Messrs. Belser, Fagan, Gray, Lemoyne, McAlexander, McColloch, McCreery, Miller, Oates, Pennington, Terry, Trimble and Mr. President—13.

NAYS—Messrs. Askew, Carrigan, Clark, Craighead, Davies, Douglas, Mecklin, Mitchell, Rosson, Ward and Watkins—11.

So the amendment offered by Mr. Terry, was adopted.

On motion of Mr. Rosson, the bill, as amended, was further amended, by inserting after the word "governor," where it occurs first in section 2, the words "auditor, treasurer and secretary of state," and by striking out the words "in the presence of the delegates or special returning officers aforesaid."

Mr. Watkins offered to amend by inserting after the words "that a majority of all the votes cast are for a convention" in the second section the words "such majority to be ascertained and determined by the vote at the last gubernatorial election."

Mr. Askew called for the yeas and nays on the adoption of said amendment, which call being sustained was made with the following result:

YEAS—Messrs. Askew, Belser, Carrigan, Clark, Craighead, Davies, Douglas, Fagan, Gray, Lemoyne, McAlexander, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—24.

NAYS—0.

So the amendment offered by Mr. Watkins, was unanimously adopted.

Mr. Craighead moved to amend by striking out the words "each delegate elected shall be made a special returning officer," etc, and inserting "that the election returns shall be carried to the seat of government, as returns are directed by law to be carried in ordinary cases."

Which amendment was read.

(Mr. Lemoyne was called to the chair.)

Mr. Craighead advocated his amendment.

Mr. President moved to lay the same upon the table, on which motion, Mr. Craighead called for the yeas and nays, which call was sustained and made with the following result:

YEAS—Messrs. Belser, Clark, Fagan, Gray, Lemoyne, McAlexander, McColloch, McCreery, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—18.

NAYS—Messrs. Askew, Carrigan, Craighead, Davies, Douglas and Mecklin—6.

So the amendment was laid on the table.

Mr. Pennington offered to amend the bill with an additional section, to-wit:

SEC. —. *Be it further enacted*, That if any seat in the convention, hereby provided for, be contested, the convention shall have power to determine such contest, as the General Assembly has to determine contests for seats in either house, in the manner now prescribed by law.

Which was, on motion of Mr. Terry, adopted.

Mr. Davies offered to amend by an additional section, to-wit:

SEC. —. *Be it further enacted*, That it is the object of the convention, here provided for, and the same is hereby required to co-operate with a majority of the southern states; and use every exertion in their power to induce the northern, or free states to repeal all their unconstitutional laws, and settle for ever the slavery question between the North and South, in a manner consistent with the rights of the South under the constitution.

Which amendment was read, but by request, Mr. Davies withdrew the same.

Mr. Oates offered to amend by an additional section, to-wit:

SEC. —. *Be it further enacted*, That fifty members of said convention shall be necessary to constitute a quorum to transact business.

Which was read and adopted.

Mr. Rosson offered to amend by an additional section, to-wit:

SEC. —. *Be it further enacted*, That a sufficient amount of money be, and the same is hereby appropriated out of the state treasury to pay the necessary expenses of said convention, should one be held.

Which was read and adopted.

Mr. Carrigan moved to amend by an additional section, to-wit:

SEC. —. *Be it further enacted*, That whatever action the convention may take, they shall submit the same to the people for their ratification.

Mr. McCreery moved to lay said amendment on the table, which motion prevailed on a division—14 voting in the affirmative and 7 in the negative.

Mr. Fagan offered to amend by adding, at the end of the 2d section, the following words, to-wit.

“ And in case of sickness or any other unavoidable cause, to prevent any delegate to the convention from getting to the capital, he shall have power to send up the returns of his county by a special messenger selected by himself.”

Which was read, and on motion of Mr. Terry, adopted.

On motion of Mr. President, the bill, as amended, was read for information.

On motion of Mr. Oates, the 4th section of the bill was amended by inserting the words “ and officers” after the word

“members,” and by striking out the words “in addition to mileage.”

On motion of Mr. Rosson, said section was further amended by adding the words, “their accounts therefor to be certified by the president of the convention, and the secretary shall certify the account of the president.”

On motion of Mr. Oates, the 2d section of the bill was further amended by inserting the words “or any three of them,” after the words “governor, auditor, treasurer, and secretary of state.”

On motion of Mr. Rosson, the 5th section was amended by adding the following words, to-wit: “and the qualifications for a delegate shall be the same as now required for a member of the House of Representatives.”

On motion of Mr. President, the bill was read the third time, by title, when Mr. Davies called for the yeas and nays on its passage, which call was sustained and ordered, with the following result:

YEAS.—Messrs. Askew, Belser, Carrigan, Clark, Craighead, Davies, Douglas, Fagan, Gray, Lemoyne, McAlexander, McCulloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—24.

NAYS—0.

So the bill passed.

On motion of Mr. Terry, the Senate adjourned until 9½ o'clock Monday morning.

THOS. FLETCHER,

President.

MONDAY, *January 14, 1861.*

Senate met pursuant to adjournment.

Roll called.

P R E S E N T :

Messrs. Askew, Belser, Carrigan, Clark, Craighead, Davies, Douglas, Fagan, Gray, Lemoyne, McAlexander, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—24.

The journal of Saturday was read, approved and signed.

Mr. Askew asked to have his vote on laying the amendment offered by him, to House bill No. 14, to be entitled “an act to invest the swamp and overflowed lands in the Champagnolle swamp land district, as stock in the Mississippi, Ouachita and Red river railroad company,” on the table, (which amendment proposed to invest in said road, all the swamp lands in the Washington district,) from the negative to the affirmative.

Which was granted and the change made.

Mr. Askew also asked to have his name recorded as voting in the affirmative, on the passage of Senate bill No. 130, to be entitled “an act to provide for a state convention,” he being absent on account of sickness, when said vote was taken, which request was granted and his vote so recorded.

Mr. Gray asked to have his vote recorded, on the adoption of Mr. Watkins’ substitute to the convention bill, in the negative; which was granted and his vote so recorded.

Mr. Gray moved to suspend the regular order of business, to take up House joint resolution No. 20, proposing an amendment to the constitution; which motion was lost.

Mr. Fagan, from the committee on enrollments, made the following

R E P O R T :

Mr. PRESIDENT—

I have the honor to report that on this, the 11th day of January, 1861, I handed to the governor for his consideration, “an act to incorporate the Little Rock gas-light company.”

Also, “an act to authorize the common school commissioners to sell the 16th sections at private sale in certain cases.”

FAGAN, *Chairman.*

Which report was received.

The following message was received from the House of Representatives, by their clerk:

Mr. PRESIDENT—

I am instructed to inform your honorable body, that the House of Representatives have passed the following House bills, to-wit:

No. 269, entitled "an act to authorize the county courts of Pulaski and Sebastian counties to levy a road tax, and for other purposes."

No. 324, to be entitled "an act supplementary to an act entitled an act to provide for the election of a tax collector for Phillips county."

No. 325, entitled "an act making appropriation for the payment of certain accounts against the State of Arkansas."

No. 329, entitled "an act to prevent trespassing upon school lands in the counties of Pulaski, Izard, Fulton, Marion, Searcy, Bradley and Van Buren."

No. 330, entitled "an act to repeal in part an act entitled an act to authorize the counties of Jackson, Crawford, Pope, Lafayette, Phillips, Crittenden, Monroe, Columbia and Pulaski, to levy a road tax."

No. 331, entitled "an act to attach a portion of the county of Desha to the county of Drew."

No. 333, entitled "an act to increase the powers of school trustees of townships."

No. 334, entitled "an act for the relief of James W. Dickinson, of Clark county."

Said eight House bills are herewith transmitted for the assent of your honorable body, which is respectfully asked.

The House of Representatives have adopted House joint resolution No. 31, relative to the establishment of a mail route from Carrollton, Arkansas, to Ozark, in Missouri.

Said resolution is herewith transmitted for the concurrence of your honorable body, which is respectfully asked.

The House of Representatives have concurred in the three several amendments of the Senate to House bill No. 166, entitled "an act to aid the foreclosure of the stock mortgages given to secure stock subscriptions to the Real Estate Bank of the State of Arkansas."

S. M. SCOTT, *Clerk of
House of Representatives.*

Mr. President announced the hour for special order, House bill No. 14, to be entitled "an act to invest the swamp and overflowed lands in the Champagnolle swamp land district, as

stock in the Mississippi, Ouachita and Red river railroad company," which was taken up.

Mr. Rosson was called to the chair.

Mr. Craighead being entitled to the floor, advocated his amendments offered to said bill.

Mr. President offered to amend the amendment, by inserting the counties of Arkansas, Desha and Jefferson, before the counties of Crittenden and Mississippi, in order that the reservation of lands proposed by said amendments might extend to the counties of Arkansas, Desha and Jefferson.

Mr. Clark moved to lay the amendment and the amendment thereto proposed, upon the table; on which motion, Mr. McCreery called for the yeas and nays, which call was sustained.

Mr. Watkins moved a call of the Senate, which motion was lost on a division—10 in the affirmative and 12 in the negative.

The call on the question to lay the amendments on the table was then made with the following result:

YEAS—Messrs. Belser, Carrigan, Clark, Douglas, Fagan, Gray, Lemoyne, McAlexander, McColloch, Mecklin, Miller, Pennington, Terry, Trimble and Ward—15.

NAYS—Messrs. Craighead, Davies, McCreery, Mitchell, Oates, Rosson, Watkins and Mr. President—8.

So the amendments were laid on the table.

Mr. McCreery offered to amend the bill by striking out all after the enacting clause, and inserting the following:

That the proceeds arising from the sale of the swamp lands in the Champagnolle district, be, and the same are hereby placed at the disposal of the governor of this state, for the purpose of erecting fortifications or works of defence on the Mississippi river, in the county of Mississippi.

SEC. 2. *Be it further enacted*, That this act take effect from its passage.

Which was read, and Mr. McColloch moved to lay the same on the table.

Mr. McCreery called for the yeas and nays on said motion, which call was sustained and ordered, with the following result:

YEAS—Messrs. Belser, Carrigan, Clark, Craighead, Davies, Douglas, Fagan, Gray, Lemoyne, McAlexander, McColloch,

Mecklin, Miller, Mitchell, Terry, Trimble, Ward, Watkins and Mr. President—19.

NAYS—Messrs. McCreery, Oates and Rosson—3.

So the amendment was laid upon the table.

Mr. Oates moved to amend the bill by striking out all after the enacting clause, and inserting the following:

Amend by striking out all after the enacting clause, and insert the following—

WHEREAS, it appears from the provisions of the bill now under consideration, that the lands in the Champagnolle district are not needed in said district, for the purposes of building levees and drains in said district; therefore *Be it enacted*, That the proceeds of the sales of the swamp lands in the Champagnolle district be, and the same are hereby appropriated for the building of levees and drains on the Arkansas, Mississippi, White and St. Francis rivers, to be applied as the governor of the state may think most to the interest of the state.

That this act be in force from its passage.

Which amendment was read, when Mr. McColloch moved to lay the same upon the table, on which motion Mr. Oates called for the yeas and nays, which call being sustained, was ordered with the following result:

YEAS—Messrs. Belser, Carrigan, Clark, Douglas, Fagan, Gray, Lemoyne, McAlexander, McColloch, Mecklin, Miller, Terry, Trimble, Ward and Watkins—15.

NAYS—Messrs. Craighead, Davies, McCreery, Mitchell, Oates, Rosson and Mr. President—7.

So the amendment was laid on the table.

Mr. Oates offered to amend the — section of the bill by adding the following proviso:

Provided, That when the title to the land intended to be granted to said road as stock in the same, shall become invested in said road, it shall be upon the express condition that said land shall be subject to pre-emption and entry under existing laws, and the people shall have the right to pay for any such lands in works of reclamation as they are now entitled.

Said amendment was read, when Mr. Clark moved to lay the same on the table, on which motion Mr. Oates called for the yeas and nays, which call was sustained and ordered with the following result:

YEAS—Messrs. Belser, Carrigan, Clark, Douglas, Fagan, Gray,

Lemoyne, McAlexander, McColloch, Mecklin, Miller, Terry, Trimble and Ward—14.

NAYS—Messrs. Craighead, Davies, McCreery, Mitchell, Oates, Pennington, Rosson, Watkins and Mr. President—9.

So the amendment was laid on the table.

On motion of Mr. Clark, the bill was read the third time by title, and Mr. Watkins called for the yeas and nays on its passage, which call was sustained and made with the following result:

YEAS—Messrs. Belser, Carrigan, Clark, Douglas, Fagan, Gray, McAlexander, McColloch, Mecklin, Miller, Terry, Trimble and Ward—13.

NAYS—Messrs. Askew, Craighead, Davies, McCreery, Mitchell, Oates, Pennington, Rosson, Watkins and Mr. President—10.

So the bill passed.

The following message was received from the governor:

Mr. PRESIDENT—

I am instructed by the governor to inform your honorable body that on the 10th day of January, 1861, he approved and signed "an act for the relief of John D. Adams."

And on the 14th January, 1861, he approved and signed "an act to authorize the common school commissioners in this state to sell the sixteenth section at private sale in certain cases."

"An act to incorporate the Little Rock gas light company."

And on the 12th of January, 1861, he vetoed "an act to incorporate the town of Searcy, in White county," and herewith communicates to the Senate his objections to the bill.

The 9th section of said act provides that the town council shall have power to provide, by ordinance, for the punishment by fines or imprisonment, any person who shall willfully disturb the peace of the town by quarrelling, challenging or fighting. It is not possible in the nature of things that a fight can take place without an assault and battery, which is a criminal offence within the meaning of the 14th section of the "bill of rights," which says that no person shall be put to answer any criminal charge but by presentment, indictment or impeachment. See case of *Evans vs. the State*, 6 Eng., page 482, and *Rector vs. State*, 1st Eng., 187. The bill is therefore in its provisions unconstitutional, and is for these reasons alone returned to your honorable body for your further consideration.

HENRY M. RECTOR.

W. M. MATHENY,
Private Secretary.

January 14, 1861.

On motion of Mr. Pennington, the Senate took a recess until 3 o'clock, p. m.

At 3 o'clock p m., the Senate met, and on motion of Mr. Watkins, Mr. Fagan took the chair as President *pro tem*.

Roll called.

P R E S E N T :

Messrs. Belser, Carrigan, Clark, Craighead, Davies, Douglas, Fagan, Gray, Lemoyne, McAlexander, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward and Watkins—22.

On motion of Mr. Miller, House joint resolution No. 29, to arm volunteer companies on the frontier, was taken up and read the first time.

On his further motion, the rules were suspended, the resolution read the second time, and on motion of Mr. Watkins, it was referred to the committee on militia.

Message from the House of Representatives by the clerk:

Mr. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have amended and assented to as amended, Senate bill No. 130, entitled "an act to provide for a state convention."

Said bill is herewith returned and the amendment thereto attached, for the concurrence of your honorable body, which is respectfully asked.

S. M. SCOTT, *Clerk of
House of Representatives.*

Mr. Watkins, on leave, offered the following

RESOLUTION:

Resolved, That the sum of six dollars a day be appropriated to pay Jno. P. Jones for services rendered as assistant secretary for three days during the sickness of William H. Rosson.

Read and adopted.

On motion of Mr. Clark, House bill No. 265, to be entitled "an act for the relief of Wm. A. Porter," was taken up and read the first time.

On his further motion, the rules were suspended, the bill read the second time by title, and on motion of Mr. Watkins, it was referred to the committee on claims.

On motion of Mr. Terry, the amendment of the House to Senate bill No. 130, entitled "an act to provide for a state convention," was taken up and read as follows:

Strike out in section 2 the words "such majority to be ascertained and determined by the vote at the last gubernatorial election," so that it shall read "a majority of all the votes cast."

The question to concur in said amendment was stated from the chair.

Mr. Davies opposed the concurrence.

Mr. Douglas called for the ayes and nays on the question to concur, which call was sustained and made with the following result:

YEAS—Messrs. Belser, Fagan, Gray, Lemoyne, McAlexander, McColloch, McCreery, Miller, Oates, Pennington, Terry, Trimble and Mr. President—13.

NAYS—Messrs. Carrigan, Clark, Craighead, Davies, Douglas, Mecklin, Mitchell, Rosson, Ward and Watkins—10.

So the amendment was concurred in.

On motion of Mr. Rosson, House bill No. 291, to be entitled "an act for the relief of Luther R. Venable, late sheriff of Van Buren county, and John B. Garrett, former sheriff of Montgomery county," was taken up and read the first time.

On his further motion, the rules were twice suspended, the bill read the second and third times by title, and passed.

On motion of Mr. Oates, House bill No. 301, to be entitled "an act to pay the judge of the probate and county courts of Monroe county a regular salary per annum," was taken up and read the first time.

On his further motion, the rules were twice suspended, the bill read the second and third times by title, and passed.

On motion of Mr. Carrigan, the amendments of the House to Senate bill No. 106, entitled "an act to re-organize the corporation of the town of Washington," was ordered to be taken up.

The first amendment was read, and on motion of Mr. Carrigan, concurred in as follows:

Strike out (of sec. 4) the words, "perpetual succession," and insert "succession for ninety-nine years."

The second amendment was read, and on motion of Mr. Carrigan, concurred in as follows:

Amend sec. 14 by striking out after the word "qualified," the words, "no one shall be eligible to said office who may not be an attorney licensed to practice in the circuit courts for the state."

On motion of Mr. Craighead, House bill No. 194, to be entitled "an act to provide for making and repairing levees in Crittenden county," with the amendments thereto pending, reported by the committee on swamp and overflowed lands, was taken up and the amendments severally adopted on the motion of Mr. Craighead.

On motion of Mr. President, said bill was read the third time by title, and passed.

Mr. Gray, from the committee on enrollments, made the following

REPORT:

Mr. PRESIDENT—

The committee on enrolled bills have examined the enrollment of "an act to provide for a state convention," and instruct me to report the same correctly enrolled.

GRAY, *Chairman, pro tem.*

Said report was read and received.

Mr. Rosson moved to print 500 copies of the convention bill as the same had been finally passed, which was, on motion of Mr. Davies, amended by saying 1000 copies, and adopted.

On motion of Mr. Terry, the Senate adjourned until 9 o'clock to-morrow morning.

THOS. FLETCHER,

President.

TUESDAY, *January 15th*, 1861. •

The Senate convened.

Roll called.

P R E S E N T .

Messrs. Askew, Belser, Carrigan, Clark, Craighead, Davies, Douglas, Fagan, Gray, Lemoyne, McAlexander, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—24.

The journal of yesterday was read, approved and signed.

Petitions and memorials were in order.

Mr. Trimble presented a petition signed by about 250 citizens residing in counties within the Batesville swamp land district remonstrating against “an act passed by the General Assembly providing for the removal of the state land office from Batesville to Jacksonport;” Mr. Trimble also presented the memorial of E. Baxter, touching the subject of said petition.

Which petition and memorial were accompanied by a bill to be entitled “an act supplementary to an act entitled an act to remove the swamp land office from the town of Batesville to the city of Jacksonport,” approved December 20th, 1860; which was read the first time.

On motion of Mr. Trimble, the rules were suspended, and the bill read the second time by title.

Mr. Trimble moved a further suspension of the rules; but Mr. McCreery objected, and, on his motion, the bill was referred to the committee on swamp and overflowed land.

Motions and resolutions were in order.

Mr. Gray offered the following resolution, to-wit:

WHEREAS, It is provided by the constitution of this state, that the qualified voters in each judicial circuit in the State of Arkansas, shall elect their circuit judge; *And whereas*, the present General Assembly have passed an act by which several judges are required to preside in counties where the people have had no part in their election.. It is, therefore,

Resolved, That the judiciary committee of the Senate examine and report whether the act referred to is not in violation of the constitution.

Read, and, on motion of Mr. Gray, adopted.

Mr. Rosson offered the following

RESOLUTION:

Resolved, That from and after the adoption of this resolution no member of the Senate shall be permitted to speak longer than ten minutes, without leave of the Senate.

Which was read, and, on motion of Mr. Fagan, adopted.

Mr. Miller offered the following joint resolution, to-wit:

WHEREAS, The many embarrassments which works of internal improvement in the State of Arkansas have encountered, having heretofore met with much prejudice and opposition at home, and no encouragment abroad, have greatly retarded their progress; *And whereas*, the companies now having charge of some of these important enterprises, have lately shown the ability and determination to progress with them, and will undoubtedly be able to complete them, if time be given; *And whereas*, unless an extension of the time limited by Congress be granted, the people of this state will not realize those benefits intended to be conferred by the general government; therefore,

Be it resolved by the General Assembly of the State of Arkansas, That our representatives in Congress be requested, and our senators instructed, to use all honorable means in their power to obtain from the general government an extension of at least five years of the time limited by act of Congress, approved 9th February, 1853, so far as the interests of the two roads connecting the cities of Memphis and Fort Smith, via Little Rock, are concerned.

Which was read the first time.

On motion of Mr. Fagan, the rule was dispensed with, the resolution read the second time; and,

On motion of Mr. Clark, adopted.

Mr. Pennington, from the joint committee on public buildings, made the following

REPORT:

Mr. PRESIDENT—

The joint committee on public buildings, having thoroughly examined the several rooms of the capitol, find the west wing in great danger of falling down, and thereby destroying the books, charts, etc., would recommend the removal of said west wing, and the erection of a fire-proof building of the same dimensions, and that said books, charts, etc., may be

carefully preserved; and further, that two rooms be added to the eastern wing of said capitol, for the purpose of preserving the library of the supreme court, for which objects the committee herewith report a bill, and recommend its passage.

The committee, under present circumstances, deem it inexpedient to make an appropriation for the purchase of an executive mansion, but recommend the appropriation of an amount to pay for the rent of the same.

PENNINGTON, *Chairman*

on part of Senate.

ROBT. P. CROWELL, *Chairman*

on part of House.

No. 137. Said report was accompanied by a bill to be entitled "an act making an appropriation for putting up buildings for the use of the state library and for the library of the supreme court, and for other purposes;" which was read the first time.

On motion of Mr. Fagan, the rules were suspended, and the bill read the second time by title.

Mr. Fagan moved to amend the 5th section of the bill, by striking out the words "three hundred dollars," and inserting "five hundred dollars," relative to amount of appropriation for rent of executive mansion; which amendment did not prevail.

Mr. Pennington moved a further suspension of the rules for the third reading of the bill, but Mr. Fagan objected, and, on his motion, the bill was referred to a select committee of five.

Mr. President appointed as such committee, Messrs. Fagan, Douglas, Carrigan, Watkins and Gray.

Mr. Oates, from the committee on judiciary, made the following

REPORT:

Mr. PRESIDENT—

The judiciary committee have considered House bill No. 95, entitled "an act to amend section 5, chapter 70, of Gould's Digest, in relation to ferry licenses," and instruct me to recommend its rejection.

OATES, *Chairman.*

Read and, on motion of Mr. Oates, adopted, and the bill thereby rejected.

Mr. Carrigan, from the committee on internal improvements, made the following

REPORT:

Mr. PRESIDENT—

The internal improvement committee, to whom was referred Senate bill No. 115, to be entitled "an act to incorporate the Huntsville and Ozark Turnpike Road Company," have had the same under consideration, and have instructed me to report the same back to the Senate, and recommend its passage.

CARRIGAN, *Chairman.*

Which report was received; and,

On motion of Mr. Carrigan, the bill was read the third time by title, and passed.

Mr. McCreery, from the committee on militia, made the following

REPORT:

Mr. PRESIDENT—

Your committee on militia, to whom was referred House joint resolution, furnishing certain frontier counties with arms, etc., have considered the same, and, with the following resolution as an amendment, recommend that the Senate concur in the same, to-wit:

Resolved, further, That the captains of the several companies to be furnished with said arms, shall, upon receiving the same, enter into bond to the governor, to be by him approved, in a sum sufficient to cover all cost of arms and accoutrements, that the same shall be safely kept and delivered up to the state, when required.

MC CREERY, *Chairman.*

Report received, amendment adopted, and, on motion of Mr. McCreery, the resolution was concurred in as amended.

Mr. Rosson was called to the chair.

Mr. Carrigan, made the following

REPORT:

Mr. PRESIDENT—

The internal improvement committee, to whom was referred Senate bill No. 102, entitled "an act to provide for

the improvement of Bayou Bartholomew," with one amendment, have had the same under consideration, and a majority of said committee have instructed me to report the same back to the Senate, recommending the passage of the bill, without the amendment.

CARRIGAN, *Chairman*.

Report received, and, on motion of Mr. Lemoyne, the bill was read the third time, and the question on its passage decided in the negative.

The following message was received from the House of Representatives by the clerk:

Mr. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have passed the following House bills, viz:

No. 302, entitled "an act for the relief of McNeil & Gracie."

No. 337, entitled "an act to incorporate the Pine Bluff Telegraph Company."

No. 338, entitled "an act to grant a charter to Thomas Couch, of Jackson county, for a Turnpike or Graded Turnpike road in the southern portion of Jackson county."

No. 340, entitled "an act to provide for the publication of the laws concerning public schools and school lands in pamphlet form."

No. 341, entitled "an act concerning jurors."

Said 5 House bills are herewith transmitted for the assent of your honorable body, which is respectfully asked.

The House of Representatives have assented to Senate bill No. 131, entitled "an act to authorize the common school commissioner of Lawrence county to sell the yet unsold portion of section 16, in township 18 north, range 5 west."

Said bill is herewith returned.

The House of Representatives have concurred in Senate amendment to House bill No. 175, entitled "an act to prevent the poisoning of any lake or stream of water, for the purpose of killing fish, stock, or for any other purpose."

The House of Representatives have concurred in the first three amendments of the Senate to House bill No. 21, entitled "an act for the election of a tax collector and assessor in the counties of Poinsett and Independence," and have refused to concur in the 4th amendment of the Senate to said bill.

Said bill, with the said 4th amendment thereto attached, is herewith returned for the further consideration of your honorable body, which is respectfully asked.

The House of Representatives have adopted House joint

resolution No. 34, relative to United States arms in the arsenal at Little Rock, Arkansas, and for the appointment of a joint committee of the two houses of the General Assembly, to make certain enquiries in relation thereto.

The committee, on the part of the House, consists of Messrs. Harper, Crowell, Jones of Chicot, Killgore, Smith and Lewis.

Said resolution is herewith transmitted for the concurrence of your honorable body, which is respectfully asked.

The House of Representatives have concurred in the first and third amendments of the Senate to House bill No. 194, entitled "an act to provide for making and repairing levees in Crittenden county," and have refused to concur in the 2d and 4th amendments thereto.

Said bill is herewith returned for the further consideration of your honorable body, which is respectfully asked.

S. M. SCOTT, *Clerk*

of House of Representatives.

No. 138. Mr. Lemoyne on leave, introduced Senate bill to be entitled "an act to repeal all laws declaring Petit Jean creek, in Yell county, a navigable stream."

Read the first time.

On motion of Mr. Fagan, the rules were suspended, and the bill read the second time by title.

On motion of Mr. Lemoyne, the rules were further suspended, the bill read the third time, by title, and passed.

Message from the House of Representatives, by the clerk:

Mr. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have passed House bill No. 343, to be entitled "an act to prevent the sale of spirituous liquors within three miles of Mountain Home Male and Female Academy, and Three Creeks Female Institute, in Union county, Arkansas."

Said bill is herewith transmitted for the assent of your honorable body, which is respectfully asked.

S. M. SCOTT, *Clerk*

House of Reps.

Mr. Clark, from the committee on education, made the following

REPORT:

Mr. PRESIDENT—

The committee on education, to whom was referred Senate bill No. 129, to be entitled “an act for the benefit of St. John’s College,” have had the same under consideration, and have instructed me to report the same back to the Senate, and recommend the adoption of the amendment offered in the Senate, and with said amendment, to recommend its passage.

CLARK, *Chairman.*

Which report was received, and on motion of Mr. Clark, the amendment was adopted.

On his further motion, the bill was read the third time, as amended, and passed.

Mr. Fagan, from the committee on enrollments, made the following

REPORT:

Mr. PRESIDENT—

I have the honor to report that, on this the 15th day of January, 1861, I handed the governor, for his consideration “an act to provide for a state convention.”

FAGAN, *Chairman*

Committee on Enrollments.

Read and received.

Mr. Oates, from the judiciary committee, made the following

REPORT:

Mr. PRESIDENT—

The judiciary committee have considered Senate bill No. 95, to be entitled “an act to equalize the races, as between the African and black republican, and to prevent the enforcement of mob law, and have instructed me to recommend its rejection.

OATES, *Chairman.*

Which report was read, and on motion of Mr. Oates, adopted, and the bill thereby rejected.

Mr. McAlexander, from the committee on public expenditures, made the following

REPORT:

Mr. PRESIDENT—

The committee on public expenditures, to whom was referred House bill No. 264, to be entitled “an act to authorize the governor to issue arms to the volunteer military companies of this state, and for other purposes,” have had the same under consideration, and a majority of said committee have instructed me to report the same back to the Senate and recommend its passage.

McALEXANDER, *Chairman.*

Which report was received.

Mr. Fagan moved to postpone the bill for the present; which motion was lost.

Mr. Carrigan offered to amend the bill by substituting the following for the third section, to-wit:

SEC. 3. *Be it further enacted*, That the sum of one hundred thousand dollars be, and the same is hereby appropriated, out of any money in the treasury of the state, not otherwise appropriated, for the purchase of arms for the use of the volunteer militia of this state, in the manner following, to-wit:

Elias N. Conway, Thomas J. Churchill, and C. C. Danley, of Pulaski county, be, and they are hereby appointed commissioners for the state, whose duty it shall be to ascertain and determine the kind of arms, accoutrements and munitions of war as are necessary for arming the militia of the state; and after they have discharged this duty, it shall be their further duty to advertise for proposals, to furnish the required arms, accoutrements and munitions of war, keeping in view the interest of the state, by purchasing the best articles, for the least amount of money, and payment for said arms shall be made upon the joint certificate of said commissioners, and the certificate of the governor, that said arms and other matters have been received by him or a proper agent of the state.

Which amendment was read.

On motion of Mr. Oates, the amendment was amended by striking out the words “to advertise for proposals to furnish” and inserting “to proceed by themselves or agent, to be by them appointed, to purchase.”

Mr. Davies offered to amend the bill by adding a proviso, that the whole amount expended shall be for cavalry arms and accoutrements, and that all of the bill providing otherwise, be stricken out; which amendment was lost.

Mr. Carrigan's amendment was then adopted as amended.

Mr. Lemoyne offered to amend with an additional section, to-wit:

Be it further enacted, That none of said arms and munitions of war shall be purchased until after the ratification by the people of the action of the state convention, to be held in March.

Mr. Lemoyne moved to adopt his amendment, and called for the yeas and nays, which call was sustained, and ordered with the following result:

YEAS—Messrs. Askew, Davies, Douglas, Lemoyne, Mitchell, Rosson and Watkins—7.

NAYS—Messrs. Belser, Carrigan, Clark, Craighead, Fagan, Gray, McAlexander, McColloch, McCreery, Mecklin, Oates, Pennington, Terry, Trimble, Ward and Mr. President—16.

So the amendment was lost.

On motion of Mr. Lemoyne, the bill as amended, was recommitted to a select committee of ten senators.

Messrs. Lemoyne, Fagan, Terry, Rosson, McCreery, Mitchell, Belser, Oates, Clark and Mecklin were appointed as such committee.

Mr. Fagan, from the committee on enrollments, made the following

REPORT:

Mr. PRESIDENT—

The committee on enrollments have examined "an act to authorize the common school commissioner of Lawrence county to sell the yet unsold portion of section sixteen, in T. 18 N. R. 5 west," and instruct me to report the same correctly enrolled.

FAGAN, *Chairman*
Committee on Enrollments.

Read and received.

The following messages from the governor were received:

Mr. PRESIDENT—

I am instructed by the governor to report to the Senate

that on the 15th day of January, 1861, he approved and signed "an act to provide for a state convention."

I am also instructed to deliver to the Senate the following message from the governor:

W. M. MATHENY,
Private Secretary.

January 15th, 1860.

Mr. PRESIDENT—

Hon. Samuel H. Hempstead, solicitor general of the state of Arkansas, having returned his commission to the executive, with an endorsement to the effect that he would not accept an appointment to that office, for the ensuing term, the executive presents the name of John M. Harrell, as a suitable person to fill that office; and asks that your honorable body confirm his appointment for the term prescribed by law.

HENRY M. RECTOR.

Mr. Oates, from the committee on judiciary, made the following

REPORT:

Mr. PRESIDENT—

The judiciary committee have considered Senate bill No. 59, to be entitled "an act to permit certain free negroes to remain in this state a sufficient length of time to pay their debts," and instruct me to recommend its rejection.

OATES, *Chairman.*

Which report was read; and

On motion of Mr. Oates, adopted, and the bill thereby rejected.

On motion of Mr. Davies, the amendment of the House to the ——— section of Senate bill No. 34, entitled "an act concerning appeals in swamp land cases, to the auditor," was taken up and reconcurred in by the Senate.

Mr. Fagan moved to adjourn until 9 o'clock to-morrow morning, on which motion Mr. Oates called for the yeas and nays, which call was sustained, and made with the following result:

YEAS—Messrs. Askew, Craighead, Fagan, Lemoyne, McCree-ry, Mitchell, Pennington and Rosson—8.

NAYS—Messrs. Belser, Carrigan, Clark, Davies, Douglas, Gray, McAlexander, McColloch, Mecklin, Oates, Terry, Trimble, Ward, Watkins and Mr. President—15.

So the motion to adjourn was lost.

Mr. Oates moved to take a recess until 7 o'clock p. m., which motion was lost.

On motion of Mr. Davies, the Senate took a recess until 3 o'clock; p. m.

At 3 o'clock p. m., the Senate met.

Roll called.

P R E S E N T :

Messrs. Askew, Belser, Carrigan, Clark, Craighead, Davies, Douglas, Fagan, Gray, Lemoyne, McAlexander, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Trimble, Ward, Watkins and Mr. President—23.

Mr. Oates made the following

R E P O R T :

Mr. PRESIDENT—

The judiciary committee have considered the petition of sundry citizens of Drew county, in relation to prohibiting the sale of vinous and spirituous liquors within one mile of the town of Troy, in said county, and have instructed me to report accompanying bill and recommend its passage.

O. H. OATES, *Chairman.*

No. 139. Which report was received and the accompanying bill to be entitled "an act to prevent the sale of ardent spirits within two miles of the Masonic Hall and Baptist Church, in the town of Troy, in Drew county;" was read the first time.

On motion of Mr. Oates, the rules were twice suspended, the bill read the second and third times by title and passed.

Mr. Ward, from the committee on public printing, made the following

REPORT:

Mr. PRESIDENT—

The committee on public printing, to which was referred Senate bill No. 27, to be entitled "an act to supply the state with a reprint of Gould's Digest of the Statutes of Arkansas, and for other purposes," have had the same under consideration, and a majority of said committee have instructed me to report the accompanying substitute for said bill, and recommend its passage.

WARD, *Chairman.*

Substitute for Senate bill No. 127, entitled "an act to supply the state with a re-print of Gould's Digest of the Statutes of Arkansas, and for other purposes."

SECTION 1. *Be it enacted by the General Assembly of the State of Arkansas,* That in consequence of there being none of Gould's Digest for sale, and the state not having any to supply her officers, it is hereby agreed that the State of Arkansas take twenty-five hundred copies of a re-print of said Digest, at the price of three dollars per copy, to be equal in quality of paper, clearness of print, and binding, to the present Digest, and to be printed by R. S. Yerkes, during the year 1861, and delivered to the secretary of state for distribution among the counties of this state, in the manner to be prescribed by law. Said Yerkes to give bond to the State of Arkansas in the sum of three thousand dollars, for the faithful performance of his part of the contract, and a sufficient sum of money is hereby appropriated out of any money in the treasury, to pay for the copies of the Digest furnished the state by the provisions of this act, to be paid whenever the twenty-five hundred copies are deposited with the secretary of state, and upon his certificate to that effect.

Said report was received, and the accompanying substitute was read the first time.

Mr. McColloch moved to adopt the substitute; which motion was lost, and the original bill took its course under the rules.

Mr. Watkins, from the committee on ways and means, made the following

REPORT:

Mr. PRESIDENT—

Your committee on ways and means, to which was referred House bill No. 25, "an act concerning slaughter houses and butchers in the cities of Little Rock, Camden, Washing-

ton, Fort Smith, Jacksonport, Batesville and Van Buren, and to promote the health of said cities, and for other purposes," have had the same under consideration, and not being able to get a majority of the committee together, I beg leave to report the same back to the Senate, and ask to be discharged from its consideration.

WATKINS, *Chairman.*

Read, and on motion of Mr. Watkins, adopted.

On motion of Mr. Fagan, the bill was read the third time and passed.

Mr. Douglas, from the committee on public roads, made the following

REPORT:

Mr. PRESIDENT—

The committee on public roads, to whom was referred Senate bill No. 126, entitled "an act to grant charter privileges to William Brown and Nicholas Childers, of Greene county" have had the same under consideration, and have instructed me to report the same back without amendment and recommend its passage.

DOUGLAS, *Chairman.*

Report received; and on motion of Mr. Davies, the bill was read the third time and passed.

Mr. Watkins, from the committee on ways and means, made the following

REPORT:

Mr. PRESIDENT—

Your committee on ways and means, to which was referred House bill No. 3, entitled "an act to tax all patent medicines imported into this state," have had the same under consideration, and instruct me to report the same back, and to recommend its passage.

WATKINS, *Chairman.*

Report received; and on motion of Mr. Watkins, the bill was read the third time and passed.

Mr. Clark, from the committee on education, made the following

REPORT:

Mr. PRESIDENT—

The committee on education have considered the petition of citizens of Lawrence county, and have instructed me to report the accompanying bill for the relief of S. E. Friar, and recommend its passage.

CLARK, *Chairman.*

No. 140. Which report was received, and the accompanying bill, to be entitled “an act for the benefit of S. E. Friar,” was read the first time.

On motion of Mr. Clark, the rules were twice suspended, the bill read the second and third times by title, and passed.

Mr. Rosson, from the committee on swamp and overflowed lands, made the following

REPORT:

Mr. PRESIDENT—

The committee on swamp and overflowed lands to which was referred House bill No. 119, “for the relief of Stephen P. Kirkland,” have considered the same, and a majority of said committee have instructed me to report the same back to the Senate and recommend its passage.

ROSSON, *Chairman.*

Which report was received; and the bill ordered to take its course under the rules.

Mr. Oates, from the committee on judiciary, made the following

REPORT:

Mr. PRESIDENT—

The judiciary committee, have considered Senate bill No. 113, to be entitled “an act to aid in the publication of a digest of the decisions of the supreme court,” and have instructed me to recommend its passage.

OATES, *Chairman.*

Which report was received, and the bill read for information.

Mr. Clark moved to fill the first blank in section one, with “one hundred and twenty-five copies.”

Mr. Askew moved to amend by saying “two hundred copies.”

Mr. Terry appeared.

On motion of Mr. Fagan, the bill under consideration was indefinitely postponed, on a division—12 in the affirmative, and 11 in the negative.

Mr. Mecklin, from the committee on enrollments, made the following

REPORT:

Mr. PRESIDENT—

The committee on enrollments having examined a bill to be entitled “an act to reorganize the corporation of the town of Washington,” report it correctly enrolled.

ROBERT W. MECKLIN,
one of committee.

Read and received.

Mr. Oates, from the committee on judiciary, made the following

REPORT:

Mr. PRESIDENT—

The judiciary committee have considered House bill No. 173, to be entitled “an act conferring certain powers upon the county courts of Crittenden and Mississippi counties,” and have instructed me to recommend its passage.

OATES, *Chairman.*

Report received, and ordered to take its course under the rules.

Mr. Oates, further from the same committee, made the following

REPORT:

Mr. PRESIDENT—

The judiciary committee have considered House bill No. 243, to be entitled “an act to fix anew the terms of the supreme court,” and have instructed me to recommend its passage.

OATES, *Chairman.*

Report received, and on motion of Mr. Oates, the bill was read the third time and passed.

Mr. Oates, further, from said committee, made the following

REPORT:

Mr. PRESIDENT—

The judiciary committee have considered Senate bill No. 58, to be entitled "an act to refund to the administrator of the estate of Henry J. Kimbell, deceased, a certain amount of swamp land scrip, erroneously paid by said deceased, for the entry of lands which the state had previously sold," and instruct me to recommend its passage.

OATES, *Chairman*.

Report received; and on motion of Mr. Carrigan, the bill was read the third time and passed.

Mr. Davies moved to reconsider the vote indefinitely postponing Senate bill No. 113, to be entitled "an act to aid in the publication of a digest of the decisions of the supreme court," which motion prevailed on a division—12 voting in the affirmative, and 10 in the negative.

Mr. Terry desired to amend the title of the bill; which was decided out of order.

On motion of Mr. McColloch, the first blank in section one was filled with the words "one hundred and twenty-five."

Mr. Clark moved to fill the second blank with the words "seven hundred and fifty dollars," on which motion, Mr. Terry called for the yeas and nays, with the following result:

YEAS—Messrs. Askew, Carrigan, Clark, Craighead, Davies, Gray, Lemoyne, McAlexander, McColloch, Mecklin, Oates, Ward and Mr. President—13.

NAYS—Messrs. Belser, Douglas, Fagan, McCreery, Miller, Mitchell, Pennington, Rosson, Terry, Trimble, and Watkins—11.

So the amendment was adopted.

On motion of Mr. McColloch, the bill was read the third time, when Mr. Terry called for the yeas and nays on its passage, with the following result:

YEAS—Messrs. Askew, Carrigan, Clark, Craighead, Davies, Gray, Lemoyne, McAlexander, McColloch, Mecklin, Oates, Ward and Mr. President—13.

NAYS—Messrs. Belser, Douglas, Fagan, McCreery, Miller, Mitchell, Pennington, Rosson, Terry, Trimble and Watkins—11.

So the bill passed.

Mr. Terry offered to amend the title of the bill so as to read thus:

“A bill to be entitled an act appropriating money for the benefit of the lawyers of the State of Arkansas.”

Said amendment was withdrawn.

Mr. Davies, from the committee on claims, made the following

REPORT:

Mr. PRESIDENT—

The committee on claims, to which was referred Senate bill No. 79, to be entitled “an act for the relief of James W. Finley,” have had the same under consideration, and recommend its passage.

DAVIES, *Chairman.*

Report received, and, on motion of Mr. Davies, the bill was read the third time and passed.

Mr. Carrigan, from the committee on internal improvements, made the following

REPORT:

Mr. PRESIDENT—

The internal improvement committee have considered Senate bill No. 17, and, inasmuch as there has been a bill already passed the General Assembly, having the same objects in view, said committee have instructed me to report said bill back to the Senate, and ask that they be discharged from its further consideration.

CARRIGAN, *Chairman.*

Report received, and, on motion of Mr. Carrigan, adopted, and the committee thereby discharged from the further consideration of the bill—for “an act to invest the swamp and overflowed lands, and the proceeds arising therefrom, in the Clarksville district, as stock in the Little Rock and Fort Smith branch of the Cairo and Fulton Railroad.”

Mr. Terry, from the committee on federal relations, made the following

REPORT:

Mr. PRESIDENT—

The committee on federal relations, to whom was referred House bill No. 164, to be entitled “an act to provide for holding a state convention,” have had the same under consideration, and have instructed me to report the bill back to the Senate, and recommend its rejection.

TERRY, *Chairman.*

Which report was adopted, and the bill thereby rejected.

Mr. Craighead moved that the Senate adjourn until 9½ o'clock to-morrow morning; which motion was lost.

No. 141. Mr. Davies, on leave, introduced Senate bill, to be entitled “an act concerning the swamp land secretary.”

Read the first time.

On motion of Mr. Davies, the rules were suspended, the bill read the second time by title, and referred to the committee on swamp and overflowed lands.

No. 142. Mr. Pennington, on leave, introduced Senate bill, to be entitled “an act to provide for the payment of certain taxes directly into the state treasury.”

Read the first time.

On motion of Mr. Pennington, the rules were suspended, the bill read the second time by title, and referred to the committee on judiciary.

Mr. Gray moved to take up House joint resolution No. 20, proposing an amendment to the constitution; which motion was lost.

On motion of Mr. Askew, the Senate adjourned until 9½ o'clock to-morrow morning.

THOS. FLETCHER,
President.

WEDNESDAY, *January 16th*, 1861.

The Senate met pursuant to adjournment.

Roll called.

P R E S E N T :

Messrs. Askew, Belser, Carrigan, Clark, Craighead, Davies, Douglas, Fagan, Gray, Lemoyne, McAlexander, McColloch, McCreery, Mecklin, Miller, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—24.

The journal of yesterday was read, approved and signed.

Motions and resolutions were in order.

Mr. Gray moved to take up House bill No. 271, to be entitled "an act to amend section 34, article 1st, chapter 101, of Gould's Digest of the Statutes of this state;" which motion was lost.

Mr. Askew offered the following preamble and

RESOLUTIONS:

WHEREAS, Abe Lincoln has been elected President, and Hamlin Vice President of the *late* United States, by a minority of votes; *And whereas*, their election has given great dissatisfaction to a large portion of the northern states, and unanimous dissatisfaction to the people of the southern states; and is producing a dismemberment of the *once* United States, and threatens the overthrow and ruin of the greatest and best government ever devised by the wisdom of man; therefore,

Resolved by the General Assembly of the State of Arkansas, That the said Lincoln and Hamlin be respectively requested, for the good of their country, to decline the offices to which they have been so elected.

2. *Resolved*, That the legislatures of all of our sister states, now in session, or which may be in session between this and the 4th of March, be requested to pass a resolution similar to the above; and that the people of the states, where the legislatures are not in session, or may not be in session before the 4th of March, be requested to hold mass meetings and pass similar resolutions, and that the governor be requested to transmit a copy thereof to the governor of each of the states of this once glorious Union, and a copy to each of the parties elect; to-wit: Lincoln and Hamlin.

Which were read the first time.

On motion of Mr. Askew, the rule was suspended, and the preamble and resolutions read the second time.

Mr. Lemoyne offered the following as an "amendment" to said preamble and resolutions, to-wit:

WHEREAS, No southern state took any part in the election of Lincoln and Hamlin; therefore,

Be it resolved, That it is beneath the dignity of a southern legislative body to address them to resign.

Mr. Rosson moved to lay the resolutions and amendment on the table.

On which motion, Mr. Askew called for the yeas and nays; which call was sustained, and made with the following result:

YEAS—Messrs. Belser, Clark, Craighead, Davies, Douglas, Fagan, Gray, Lemoyne, McAlexander, McColloch, McCreery, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—20.

NAYS—Messrs. Askew, Carrigan, Mecklin and Miller—4.

So the resolutions and amendment were laid upon the table indefinitely.

The following message was received from the House of Representatives by their clerk:

Mr. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have passed the following House bills, and joint resolutions, to-wit:

No. 284, entitled "an act to change the time of the meeting of the General Assembly."

No. 327, entitled "an act making appropriations for the year 1861, and for part of the year 1862, and for balances due from the state."

Resolution No. 35, relative to a mail route in Izard county.

Resolution No. 36, relative to soldiers of the war of 1812.

Said two House bills and two joint resolutions are herewith transmitted for the assent and concurrence of your honorable body, which is respectfully asked.

The House of Representatives have concurred in Senate amendment to House joint resolution No. 29, relative to arming volunteers on the frontiers.

The House of Representatives have assented to Senate bill No. 65, entitled "an act to incorporate the city of Ozark."

Also, to Senate bill No. 23, entitled "an act to authorize the clerks of the circuit courts of Clark and Scott counties to transcribe certain records."

Said two Senate bills are herewith returned.

S. M. SCOTT, *Clerk of*
House of Representatives.

Reports from standing committees were in order.

Mr. Clark, from the committee on education, made the following

REPORT :

Mr. PRESIDENT—

The committee on education have instructed me to recommend the passage of House bill No. 209, to be entitled "an act amendatory of the common school laws of Arkansas county."

CLARK, *Chairman.*

Which report was received.

(Mr. Rosson was called to the chair.)

On motion of Mr. President, the bill was read the third time and passed.

Mr. Clark, further from the committee on education, made the following

REPORT.

Mr. PRESIDENT—

The committee on education, to whom was recommended Senate bill No. 116, entitled "an act to amend the common school laws, to create the office of state superintendent of common schools, and define his duties," have had the same under consideration, and have instructed me to report the same back to the Senate, and recommend the adoption of the amendment proposed by the Senate, and, as amended, to recommend its passage.

CLARK, *Chairman.*

Which report was received; and,

On motion of Mr. Clark, the amendment proposed by the Senate was adopted.

On motion of Mr. Gray, the bill was further amended by striking out the first section.

On motion of Mr. Clark, the bill was read the third time by

title, when Mr. Douglas called for the yeas and nays on its passage:

YEAS—Messrs. Belser, Carrigan, Clark, Craighead, Davies, Fagan, Gray, Lemoyne, McAlexander, McColloch, McCreery, Mecklin, Oates, Pennington, Rosson, Trimble and Ward—17.

NAYS—Messrs. Douglas, Mitchell, Terry, Watkins and Mr. President—5.

So the bill passed.

Mr. Oates, from the judiciary committee, made the following

REPORT:

Mr. PRESIDENT—

As chairman of the judiciary committee, I ask leave to report back to the Senate the following House bills:

No. 235, to be entitled “an act to amend the charter of the Memphis and Little Rock railroad company.”

No. 197, to be entitled “an act to regulate the time for holding the various circuit courts in this state, and for other purposes.”

No. 231, to be entitled “an act concerning swamp lands,” and would respectfully ask that said committee be discharged from their further consideration.

OATES, *Chairman.*

On motion of Mr. Oates, the report was adopted.

On motion of Mr. President, House bill No. 235, named in said report was taken up and read for information.

Mr. Oates moved to amend the first section with the following proviso:

Provided, It shall not be located more than two miles above the town of Hopefield, and as far below as possible.

Which amendment was lost on a division—6 in the affirmative, and 16 in the negative.

On motion of Mr. Terry, the bill was read the third time and passed.

On motion of Mr. Fagan, House bill No. 231, named in said report, was read for information.

Mr. Craighead moved to amend by appropriating the said lands to levees in the counties of Crittenden and Mississippi at 75 cents per acre.

Which amendment was lost.

On motion of Mr. Fagan, the bill was read the third time and passed.

On motion of Mr. McColloch, House bill No. 221, to be entitled "an act to erect additional buildings upon the penitentiary ground, and for other purposes," was taken up and read the first time.

On motion of Mr. President, the rules were suspended, and the bill read the second time by title.

Mr. Davies moved to amend the 6th section by striking out that part appropriating a salary of five hundred dollars annually for an attendant physician.

Mr. Davies called for the yeas and nays on the adoption of said amendment, which call was sustained and ordered with the following result:

YEAS—Messrs. Askew, Davies, Douglas, Fagan, McCreery, Miller, Oates, Pennington, Rosson and Trimble—10.

NAYS—Messrs. Belser, Carrigan, Clark, Craighead, Gray, Lemoyne, McAlexander, McColloch, Mecklin, Mitchell, Terry, Ward, Watkins and Mr. President—14.

So the amendment was not adopted.

On motion of Mr. Lemoyne, the bill was read the third time by title, when Mr. Fagan called for the yeas and nays on its passage, which call was sustained and ordered with the following result:

YEAS—Messrs. Belser, Carrigan, Clark, Craighead, Gray, Lemoyne, McAlexander, McColloch, McCreery, Mecklin, Miller, Oates, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—18.

NAYS—Messrs. Askew, Davies, Douglas, Fagan, Mitchell and Pennington—6.

So the bill passed.

Mr. Watkins, from the committee on ways and means, made the following

REPORT:

Mr. PRESIDENT—

Your committee on ways and means to whom was referred the following bills:

Senate bill No. 32, to be entitled "an act to reduce the state tax to one twelfth of one per cent, on the assessed value of all taxable property in this state."

House bill No. 187, a bill to be entitled "an act to amend the assessment laws of this state."

House bill No. 103, to be entitled "an act to amend sec. 7, of the 147th chapter of Gould's Digest of Arkansas, under the head of revenue of the counties."

House bill No. 140, a "bill to exempt family grave yards and public burial places from taxation and execution."

Senate bill No. 112, to be entitled "an act to authorize the auditor to refund taxes in certain cases."

House bill No. 117, to be entitled "an act to increase the bond of the county treasurers."

House bill No. 168, entitled "an act to repeal sec. 3, of chap. 148 of Gould's Digest, in relation to the levying an annual tax for state purposes."

Have had the same under consideration for some time, but owing to matters of more importance, have not been able to take action upon said bills, consequently I am unable to make a report either recommending the passage or rejection of the above bills, but report the same back to the Senate and ask to be discharged from further consideration of the same, hoping that the chairman of the committee of ways and means has discharged his duty.

WATKINS, *Chairman*.

Read, and on motion of Mr. Watkins, adopted.

On motion of Mr. Oates, House bill No. 197, to be entitled "an act to regulate the times for holding the various circuit courts in this state and for other purposes," was taken up and read for information.

On motion of Mr. Lemoyne, the bill was referred to a select committee of nine.

Mr. President appointed Messrs. Oates, Belser, McCreery, Lemoyne, Askew, Gray, Trimble, Watkins and Clark as such committee.

Mr. Fagan, from the committee on enrollments, made the following

REPORTS:

Mr. PRESIDENT—

I have the honor to report that on this the 16th day of January, 1861, I handed the governor for his consideration, "an

cat to authorize the common school commissioner of Lawrence county to sell the yet unsold portion of section 16, in township 18 north, range 5 west."

FAGAN, *Chairman*.

Mr. PRESIDENT—

The committee on enrollments have examined "an act in reference to appeals in swamp land cases to the auditor," and find the same correctly enrolled.

FAGAN, *Chairman*.

Read and received.

On motion of Mr. Davies, House bill No. 16, to be entitled "an act for the relief of certain persons holding certificates of application to purchase certain swamp lands in the old Helena swamp land district," was taken up and read the first time.

On motion of Mr. Davies, the rules were suspended, and the bill read the second time by title.

Mr. President moved to refer the bill to the committee on swamp and overflowed lands, which motion was lost, and the bill took its course under the rules.

On motion of Mr. Carrigan, the Senate took a recess until 2 ½ o'clock p. m.

At 2½ o'clock p. m., the Senate met.

Roll called.

P R E S E N T :

Messrs. Askew, Belser, Carrigan, Clark, Davies, Douglas, Fagan, Gray, Lemoyne, McAlexander, McColloch, McCreery, Mecklin, Miller, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—22.

Mr. Fagan offered the following

RESOLUTION:

Resolved, That the secretary of the Senate be authorized to employ such assistance as may be needed to keep up the business of the Senate, and that any person employed by him for

that purpose, be allowed five dollars per day for the time employed, the same to be certified by the secretary of the Senate.

Read and adopted.

Mr. Lemoyne, from a select committee, made the following

REPORT:

Mr. PRESIDENT—

The select committee to whom was referred House bill No. 264, to be entitled "an act authorizing the governor to issue arms to the volunteer military companies of this state," and for other purposes, recommend the rejection of the same and instruct me to report the accompanying bill to be entitled, "an act to appropriate money for the purpose of arming the militia of the state when formed into volunteer military companies," and for other purposes, the passage of which was recommended by a large majority of the committee.

LEMOYNE, *Chairman.*

Said report was read and adopted, and the House bill thereby rejected.

The following is the bill reported by the committee:

No. 143. A bill to be entitled "an act to appropriate money for the purpose of arming the militia of this state when formed into volunteer military companies."

SECTION 1. *Be it enacted by the General Assembly of the State of Arkansas,* That the sum of one hundred thousand dollars be, and the same is hereby appropriated out of any money in the treasury, not otherwise appropriated, for the purchase of arms for the use of the volunteer militia of this state, in the manner following: Thomas J. Churchill and Christopher D. Danley, be, and they are hereby appointed commissioners for the state, to act in conjunction with the governor, whose duty it shall be to ascertain and determine the kind of arms, accoutrements and munitions of war, that may be necessary for arming the militia of the state, and to proceed, by themselves or by an agent, to be by them appointed, to purchase the required arms, accoutrements and munitions of war, keeping in view the interests of the state by purchasing the best articles for the least amount of money, and payment for said arms shall be made upon the joint certificate of said commissioners, and the certificate of the governor, that said arms and other matters have been received by him or by a proper agent of the state.

SEC. 2. Whenever the several colonels or captains, or any of them, shall notify the governor that a volunteer company of

not less than fifty men, including the commissioned and non-commissioned officers, has been formed and organized, he shall be, and he is hereby required to cause to be delivered to every such colonel or captain, arms and accoutrements suitable to such company so formed and organized.

SEC. 3. In order to secure the said arms and accoutrements from waste, and to provide against any losses to the state, said arms, when purchased, shall be under the control of the governor, and that each colonel or captain of an independent company, upon the receipt of any arms for any volunteer company under his command, shall enter into a bond to the State of Arkansas, in the full value of said arms and accoutrements, conditioned for the safe keeping and return of the same, in case the said volunteer company should, from any cause, disband.

SEC. 4. This act shall be in force from its passage.

Said bill was read the first time.

On motion of Mr. Clark, the rules were suspended, and the bill read the second time by title.

Mr. Askew offered to amend by additional section, to-wit:

SEC. —. *Be it further enacted*, That this act shall not take effect, nor shall any arms be purchased until after a ratification of the people of Arkansas, of the proceedings of the state convention, to be held in the month of March, 1861.

Mr. Askew moved to adopt said amendment and called for the yeas and nays thereon, which call was sustained and made with the following result:

YEAS—Messrs. Askew and Douglas—2.

NAYS—Messrs. Belser, Carrigan, Clark, Davies, Fagan, Gray, McAlexander, McColloch, McCreery, Mecklin, Miller, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—19.

So the amendment was not adopted.

On motion of Mr. McCreery, the bill was read the third time, by title, and passed.

Mr. Miller asked and obtained leave of absence indefinitely.

Mr. Watkins made the following

REPORT:

Mr. PRESIDENT—

The committee on the judiciary, to whom was referred Senate bill No. 120, to be entitled ‘an act to amend section

123, chapter 4, of Gould's Digest," have not been able to make a report for or against the same, but ask leave to report it back to the Senate and ask to be discharged.

WATKINS, *one*
of Judiciary Committee.

Which report was, on motion of Mr. Watkins, adopted, and the committee accordingly discharged.

On motion of Mr. Watkins, the bill was read the third time and passed.

Mr. Craighead appeared.

Mr. Rosson, from the committee on swamp and overflowed lands, made the following

REPORT:

Mr. PRESIDENT—

The committee upon swamp and overflowed lands, to which was referred Senate bill No. 136, entitled "an act supplementary to an act to remove the swamp land office from the town of Batesville to the city of Jacksonport," have considered the same, and a majority of said committee have instructed me to report the same back to the Senate and recommend its rejection.

ROSSON, *Chairman.*

Which report was read; and

Mr. Oates moved its adoption, on which motion Mr. Trimble called for the yeas and nays, which call was sustained and ordered, with the following result:

YEAS—Messrs. Craighead, Davies, Douglas, Fagan, McCreery, Oates and Watkins—7.

NAYS—Messrs. Carrigan, Clark, Gray, McAlexander, McColloch, Mecklin, Rosson, Terry, Trimble, Ward and Mr. President—11.

So the report was not adopted.

On motion of Mr. Terry, the bill was read the third time, when Mr. McCreery called for the yeas and nays on its passage, which call was sustained and ordered, with the following result:

YEAS—Messrs. Carrigan, Clark, Gray, McAlexander, McCol-

loch, Mecklin, Rosson, Terry, Trimble, Ward and Mr. President—11.

NAYS—Messrs. Askew, Craighead, Douglas, Fagan, McCree-ry, Oats and Watkins—7.

So the bill passed.

Mr. Fagan, from the committee on enrollments, made the following

REPORTS:

Mr. PRESIDENT—

I have the honor to report that on this the 16th day of January, 1861, I handed the governor, for his consideration, "an act in reference to appeals in swamp land cases to the auditor."

Also, "an act to reorganize the corporation of the town of Washington."

FAGAN, *Chairman*
committee on enrollments.

Mr. PRESIDENT—

The committee on enrollments have examined "an act to incorporate the city of Ozark," and find the same correctly enrolled.

FAGAN, *Chairman*
Enrollment committee.

Mr. PRESIDENT—

I have the honor to report that on this the 16th day of January, 1861, I handed to the governor for his consideration, "an act to incorporate the city of Ozark."

FAGAN, *Chairman*
Committee on Enrollments.

Said reports were read and received.

No. 144. Mr. Clark, on leave, introduced Senate bill, to be entitled "an act to incorporate a company for the improvement of the Arkansas river."

Read the first time.

(Mr. Watkins was called to the chair.)

On motion of Mr. Clark, the rules were suspended, and the bill read the second time, by title.

Mr. Clark moved a further suspension of the rules, but Mr. Oates objected, and thereupon,

On motion of Mr. Clark, the bill was referred to a select committee of three.

Messrs. Clark, Lemoyne and Terry, were appointed such committee.

The following message was received from the House of Representatives by their clerk:

MR. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have passed the following House bills, to-wit:

No. 283, to be entitled “an act to attach a portion of Lawrence county to the county of Randolph.”

No. 339, entitled “an act to amend the road laws of this state.”

No. 344, entitled “an act amendatory of the militia law of the State of Arkansas.”

No. 345, to be entitled “an act to grant a charter to George Harris to establish and keep a ferry on Cadron creek, in Conway county.”

No. 346, to be entitled “an act for the relief of Joshua McH. Hicks, of Sebastian county.”

No. 347, to be entitled “an act to attach a portion of Desha county to the county of Drew.”

Said six House bills are herewith transmitted for the assent of your honorable body, which is respectfully asked.

S. M. SCOTT, *Clerk of
House of Representatives.*

No. 145. Mr. President introduced Senate bill, to be entitled “an act to incorporate the Pine Bluff water works company.”

Read the first time.

On motion of Mr. President, the rules were twice suspended, the bill read the second and third times by title, and passed.

Mr. Rosson, from the committee on swamp and overflowed lands, made the following

REPORT:

Mr. PRESIDENT—

The committee on swamp and overflowed lands, to which was referred Senate bill No. 135, entitled “an act for the relief of John J. Jackson,” have considered the same, and a majority of said committee have instructed me to report the same back to the Senate, and recommend the passage of the same.

ROSSON, *Chairman.*

Which report was received; and,

On motion of Mr. Oates, the bill was read the third time, when Mr. Davies called for the yeas and nays on its passage, which call was sustained and made with the following result:

YEAS—Messrs. Askew, Belser, Carrigan, Clark, Craighead, Fagan, Gray, Lemoyne, McAlexander, McColloch, McCreery, Mecklin, Oates, Pennington, Terry and Mr. President—16.

NAYS—Messrs. Davies, Douglas, Rosson, Trimble, Ward and Watkins—6.

So the bill passed.

Mr. Fagan, from the committee on enrollments, made the following

REPORT:

Mr. PRESIDENT—

The committee on enrollments have examined “an act to authorize the clerks of the circuit courts of Clark and Scott counties to transcribe certain records,” and find the same correctly enrolled.

FAGAN, *Chairman.*

Read and received.

No. 146. Mr. Carrigan, on leave, introduced Senate bill, to be entitled “an act to incorporate the Little Rock, Washington and Fort Smith telegraph company.”

Read the first time.

On motion of Mr. Clark, the rules were twice suspended, the bill read the second and third times and passed.

No. 147. Mr. McAlexander, on leave, introduced Senate bill, to be entitled “an act for the relief of Jesse Wills.”

Read the first time.

On motion of Mr. McAlexander, the rules were suspended, the bill read the second time by title, and referred to the committee on claims.

No. 148. Mr. Fagan introduced Senate bill, to be entitled "an act to define the line between Hot Spring and Saline counties."

Read the first time.

On motion of Mr. Fagan, the rules were twice suspended; the bill read the second and third times by title, and passed.

On motion of Mr. Craighead, House bill No. 249, to be entitled "an act to attach a portion of Crittenden county to the county of Mississippi," was taken up and read the first time.

On his further motion, the rules were twice suspended, and the bill read the second and third times, by title, and passed.

No. 149. Mr. President introduced Senate bill, to be entitled "an act to incorporate the Pine Bluff gas company."

Read the first time.

On motion of Mr. President, the rules were twice suspended, the bill read the second and third times by title, and passed.

Mr. Askew asked to have his vote recorded in the negative on the passage of House bill No. 14, entitled "an act to invest the swamp and overflowed lands in the Champagnolle district, as stock in the Mississippi, Ouachita and Red river railroad;" which was granted and his name so recorded.

On motion of Mr. Belser, House bill No. 306, to be entitled "an act to provide for the election of a tax collection in Chicot county, and a clerk of the county and probate courts of said county," was taken up and read the first time.

On motion of Mr. Clark, the rules were suspended, the bill read the second time by title; and

On motion of Mr. Belser, the rules were further suspended, the bill was read the third time by title, and passed.

On motion of Mr. Terry, House bill No. 292, to be entitled "an act to incorporate the Brownsville Male Academy," was taken up and read the first time.

On motion of Mr. Carrigan, the rules were twice suspended, the bill read the second and third times by title, and passed.

On motion of Mr. McColloch, House bill No. 243, to be enti-

tled "an act to amend an act entitled an act to incorporate the city of Camden," was taken up and read the first time.

On his further motion, the rules were twice suspended, the bill read the second and third times by title, and passed.

On motion of Mr. Davies, House bill No. 283, to be entitled "an act to attach a part of Lawrence county to Randolph county," was taken up and read the first time.

On his further motion, the rules were twice suspended, the bill read the second and third times by title, and passed.

Mr. President resumed the chair.

On motion of Mr. Gray, House bill No. 4, to be entitled "an act to grant pre-emptions upon the swamp lands in this state," was taken up and read the third time, as amended, by the Senate, and passed.

On motion of Mr. Douglas, House bill No. 316, to be entitled "an act to authorize the governor to execute deeds or titles in certain cases," was taken up and read the first time.

On his further motion, the rules were suspended, the bill read the second time by title, and referred to the committee on judiciary.

On motion of Mr. Watkins, House bill No. 224, to be entitled "an act for the relief of James S. Bennett, of Pope county, and Edward C. Swain, of Newton county, for, and on account of labor done, and money expended in the arrest of Cooper and Blackstone, escaped convicts from the penitentiary," was taken up and read the third time and passed.

On motion of Mr. Askew, the Senate adjourned until 9 o'clock to-morrow morning.

THOS. FLETCHER,
President.

THURSDAY, *January 17th*, 1861.

The Senate met pursuant to adjournment.

Roll called.

P R E S E N T :

Messrs. Askew, Belser, Carrigan, Clark, Craighead, Davies, Douglas, Fagan, Gray, Lemoyne, McAlexander, McColloch, McCreery, Mecklin, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—23.

The journal of yesterday was read, approved and signed.

Mr. Carrigan offered the following

RESOLUTION:

Resolved, That hereafter the names of senators be called alphabetically, and they shall have the privilege of calling up any bill they may desire.

Read, and on motion of Mr. Carrigan, adopted.

Mr. Askew called up House bill No. 200, to be entitled “an act to repeal an act entitled an act to incorporate the Trustees of the Magnolia Female Institute;” which was read the first time.

On his motion, the rules were twice suspended, the bill read the second and third times, by title, and passed.

Mr. Belser called for House bill No. 274, to be entitled “an act to extend the limits, and amend the charter of the town of Monticello,” which was read the first time.

On motion of Mr. Clark, the rules were suspended, and the bill read the second time by title.

On motion of Mr. Belser, the rules were further suspended, the bill read the third time by title, and passed.

Mr. Carrigan called up House bill No. 266, to be entitled “an act for the relief of Anthony W. Cole, late sheriff and collector of the county of Sevier,” which was read the first time.

On his motion, the rules were twice suspended, the bill read the second and third times by title, and passed.

Mr. Clark called for House bill No. 346, to be entitled “an act for the relief of Joshua W. H. Hicks, of Sebastian county,” which was read the first time.

On his further motion; the rules were twice suspended, the bill read the second and third times by title, and passed.

The following message was received from the House of Representatives by their clerk:

Mr. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have passed the following House bills, to-wit:

No. 353, entitled “an act to prohibit the sale of ardent spirits within three miles of the town of Center Point, in Sevier county.”

No. 351, entitled “an act to incorporate the Poinsett Male and Female Academy.”

No. 248, entitled “an act amendatory of an act entitled an act to incorporate the Little Rock and Fort Smith railroad company, approved 22d January, 1855, and for other purposes.”

No. 158, entitled “an act to incorporate the town of Richmond, in Sevier county.”

No. 160, entitled “an act to enable defendants and mortgagors, and judgment creditors, to redeem real estate sold under judgment decrees, and orders of the courts of common law in this state.”

No. 313, entitled “an act to alter the rules of practice in the circuit courts.”

No. 345, entitled “an act to authorize the sale of certain school lands in this state.”

No. 349, entitled “an act to change the time of holding the county and probate courts in Columbia county.”

No. 350, entitled “an act to incorporate the Helena Insurance company.”

No. 352, entitled “an act for the relief of Nicholas Bata, of Yell county.”

No. 190, entitled “an act to repeal the levee law, so far as the Washington swamp land district is concerned.”

House joint resolution No. 29, relative to the Cairo and Fulton railroad company and its branches.

Said 11 House bills and joint resolution are herewith transmitted for the assent and concurrence of your honorable body, which is respectfully asked.

The House of Representatives have passed Senate bill No. 50, entitled “an act authorizing the purchase of a culvert for Old river, in Pulaski county.”

The House of Representatives have rejected Senate bill No. 54, entitled “an act to prescribe the duties of the courts of this state in relation to amendments.”

The House of Representatives have amended and assented to

Senate bill No. 92, entitled "an act for the protection of telegraph lines in the State of Arkansas."

Said 3 Senate bills are herewith returned, and the amendment to No. 92 thereto attached, for the concurrence of your honorable body, which is respectfully asked.

S. M. SCOTT, *Clerk of*
House of Representatives.

Mr. Craighead called up Senate amendments two and four to House bill No. 194, entitled "an act to provide for making and repairing levees in Crittenden county;" which amendments the House had refused to concur in.

On motion of Mr. Craighead, the Senate insisted on each of said amendments, and on motion of Mr. Fagan, a committee of conference was requested on the same.

Mr. President appointed as such committee on the part of the Senate, Messrs. Craighead, Fagan and Rosson.

Mr. Davies called up House bill No. 16, to be entitled "an act for the relief of certain persons holding certificates of application to purchase certain swamp lands in the old Helena swamp land district;" which was read for information.

On his motion, the rules were suspended, the bill read the third time, by title, when Mr. Rosson called for the yeas and nays, which call was sustained and made with the following result:

YEAS—Messrs. Carrigan, Clark, Douglas, Davies, Gray, McAlexander, McCreery, Trimble, Ward, and Mr. President—10.

NAYS—Messrs. Askew, Craighead, Fagan, Mecklin, Mitchell, Oates, Pennington, Rosson, Terry and Watkins—10.

So the bill did not pass.

Message from the House of Representatives by the clerk:

Mr. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have appointed Messrs. Van Patten, Smith, Jones, of Chicot, Armstrong, Farr and Acree, the committee on the part of the House, to confer with the Senate committee, in regard to the disagreement of the two houses, on the amendment of the Senate to House bill No. 194, providing for making and repairing levees in Mississippi and Crittenden counties.

S. M. SCOTT, *Clerk of*
House of Representatives.

Mr. Douglas called up Senate bill No. 63, to be entitled "an act for the relief of the locating agents in the counties of Arkansas, Ashley, Bradley, Clark, Dallas, Greene, Hempstead, Jefferson, Lafayette, Lawrence, Mississippi, Pulaski, Saline, Scott and Sevier.

The following amendments reported by the minority of the committee on swamp and overflowed lands, were read.

1st. Amend the title to read thus:

An act for the relief of the locating agents, who have selected and reported swamp and overflowed lands in this state, by appointment from the governor, under act of 30th of December, 1856.

2d. Strike out the words "the above counties," in the 3d line of the preamble, and insert "this state."

3d. Insert after the word "respectively," in the first section, "at the rate now fixed by law."

4th. Add at the end of section one, the words "of the district in which the selections were made in specie or in swamp land scrip."

On motion of Mr. Douglas, said amendments were severally adopted.

(Mr. Lemoyne was called to the chair.)

On motion of Mr. President the bill was read the third time, as amended, and passed.

Mr. Fagan called up House bill No. 341, to be entitled "an act concerning jurors;" which was read the first time.

On his motion, the rules were suspended, and the bill read the second time, by title.

Mr. Oates offered to amend by inserting after the word "that," in the third line of the first section, the words "regular and empanelled;" which amendment was lost.

Mr. Askew moved to exempt Union and Columbia counties, from the provisions of the bill.

Mr. Watkins moved to exempt also the counties of Carroll and Newton.

On motion of Mr. Rosson, the bill, with the amendments, was rejected.

Mr. Gray called up House bill No. 271, to be entitled "an act to amend section 4, article 1st., chapter 101, of Gould's

Digest of the statutes of this state," which was read the first time.

On his motion, the rules were suspended, and the bill read the second time by title.

Mr. Ward offered to amend the bill by striking out the word "county" wherever it occurs in the bill, and inserting in lieu the words, "township and range."

On motion of Mr. Oates, the bill with the amendment was rejected.

Mr. Gray, on leave, called up House joint resolution proposing an amendment to the constitution in reference to St. Francis county, which was read the second time and ordered to take its course under the rules.

Mr. President resumed the chair.

Mr. Lemoyne called up House bill No. 295, to be entitled "an act to revive and put in force, an act entitled an act to incorporate the town of Dardanelle, in Yell county, Arkansas, approved 17th January, 1855, and for other purposes;" which was read the first time.

On his motion, the rules were twice suspended, the bill read the second and third times by title, and passed.

No. 150. Mr. McAlexander introduced Senate bill to be entitled "an act to revive an act to incorporate Perkins Institute, in the town of Smithville, Lawrence county," which was approved January 18th, 1855.

Read the first time.

On his motion, the rules were twice suspended, the bill read the second and third times by title, and passed.

Mr. McColloch called up House bill No. 160, to be entitled "an act to enable defendants in execution and mortgagors and judgment creditors to redeem real estate sold under judgment orders and decrees of courts of common law and chancery in this state," which was read the first time, and on his motion, the rules were suspended, the bill read the second time by title, and referred to the committee on judiciary.

Mr. McCreery called up House bill No. 83, to be entitled "an act to repeal an act entitled an act declaring Cache river navi-

gable," approved 5th December, A. D., 1846; which was read the first time.

On his motion, the rules were suspended, the bill read the second time by title, and took its course under the rules.

Mr. Mecklin called up House bill No. 287, to be entitled "an act for the relief of the citizens of Mars' Hill township," which was read the first time.

On his motion, the rules were twice suspended, the bill read the second and third times by title, and passed.

Mr. Mitchell called up House bill No. 343, to be entitled "an act to prevent the sale of spirituous liquors within three miles of Mountain Home Male and Female Academy, and Three Creeks Female Institute in Union county, Arkansas," which was read the first time.

On his motion, the rules were twice suspended, and the bill read the second and third times by title, and passed.

Mr. Oates called up House bill No. 324, to be entitled "an act supplementary to an act entitled an act to provide for an election of a tax collector for Phillips county," which was read the first time.

On his motion, the rules were suspended, and the bill read the second time by title.

Mr. Askew moved to amend by striking out the words "May 1861," and inserting "August 1862."

Mr. Fagan moved to amend the amendment by adding the words, "and that the present sheriff of Phillips county shall be tax collector until the next General Assembly."

After some discussion on said amendment and the bill, the Senate, on motion of Mr. Fagan, took a recess until 3 o'clock p. m.

3 O'CLOCK P. M.

Senate met.

The roll was called, and the following senators answered to their names:

Messrs. Askew, Belser, Carrigan, Clark, Davies, Douglas, McAlexander, McColloch, McCreery, Mecklin, Mitchell, Oates, Pennington, Terry, Trimble, Ward, Watkins and Mr. President —18.

By request of Mr. Oates, the Senate postponed the consideration of House bill No. 324, entitled "an act supplementary to an act entitled an act to provide for the election of a tax collector for Phillips county," for the present.

The call of the roll alphabetically was resumed.

Mr. Pennington called up House bill No. 255, to be entitled "an act empowering Giles M. Kelly of Pike county, Arkansas, a minor under twenty-one years of age, to receive his property and transact business as of full age," which was read the first time.

On his motion, the rules were suspended, and the bill read the second time by title.

Mr. Pennington moved a further suspension of the rules, which motion was lost, and the bill took its course under the rules.

Message from the House of Representatives by the clerk:

Mr. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have reconsidered the vote by which they passed House bill No. 160, to be entitled "an act to enable defendants in execution and mortgagors and judgment creditors to redeem real estate sold under judgments, orders and decrees of courts of common law and chancery in this state," and request that the same may be returned for their further consideration.

S. M. SCOTT, *Clerk of
House of Representatives.*

Mr. Terry called up House bill No. 325, entitled "an act making an appropriation for the payment of certain accounts against the State of Arkansas," which was read the first time.

On his motion, the rules were twice suspended, the bill read the second and third times by title and passed.

Mr. Trimble called up House bill No. 187, to be entitled "an act to amend the assessment laws of this state," which was read for information.

Mr. Askew moved to postpone the bill indefinitely, which motion was lost on a division—10 voting in the affirmative and 10 in the negative.

Mr. Askew then moved to recommit the bill to the committee on ways and means, on which motion Mr. Douglas called for the yeas and nays, which call was sustained and ordered with the following result:

YEAS—Messrs. Askew, Belser, Carrigan, Craighead, Fagan, Gray, McCreery, Oates, Pennington, Rosson, Terry and Mr. President—12.

NAYS—Messrs. Clark, Davies, Douglas, Lemoyne, McAlexander, McColloch, Mecklin, Mitchell, Trimble Ward and Watkins—11.

So the bill was recommitted to the committee on ways and means.

Message from the House of Representatives by the clerk:

Mr. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have passed the following House bills, to-wit:

No. 353, to be entitled “an act to grant Thomas J. Mellon and Phillip K. Lester, a charter to make a turnpike road from Pocahontas by way of Oasis post office, across Black river and Cache river bottoms, to terminate at or near the terminus of the Smithville, Powhatan and Crowley’s ridge turnpike road on Crowley’s ridge in Greene county, a distance of 30 miles.”

No. 356, to be entitled “an act to define the line between the counties of Marion and Fulton.”

No. 357, to be entitled “an act to exempt a certain Baptist church and grave yard from taxation in Drew county.”

Said 3 House bills are herewith transmitted for the assent of your honorable body, which is respectfully asked.

The House of Representatives have assented to Senate bill No. 146, entitled “an act to incorporate the Little Rock, Washington and Fort Smith Telegraph company.”

Also, to Senate bill No. 6, entitled “an act for the relief of Edwin J. L. Green.”

The House have also passed the following House bills, to-wit:

No. 358, to be entitled “an act for the relief of James Brodie, of Crawford county.”

No. 359, to be entitled “an act to change the line between the counties of Ashley and Chicot.”

Said 2 House bills are herewith transmitted for the assent of your honoable body, which is respectfully asked.

The House of Representatives have assented to Senate bill No. 115, entitled "an act to incorporate the Huntsville and Ozark turnpike company."

Said bill is herewith returned.

S. M. SCOTT, *Clerk of
House of Representatives.*

Mr. Mecklin, from the committee on enrollments, made the following

REPORT:

Mr. PRESIDENT—

The committee on enrollments having examined "an act for the relief of Edwin J. L. Green," report the same correctly enrolled.

ROBT. W. MECKLIN,
one of the committee.

Mr. Fagan, from the same committee, made the following

REPORT:

Mr. PRESIDENT—

The committee on enrollments have examined "an act authorizing the purchase of a culvert for Old River, in Pulaski county," and find the same correctly enrolled.

FAGAN, *Chairman.*

Read and received.

Mr. Fagan, from said committee, also, made the following

REPORT:

Mr. PRESIDENT—

I handed to the governor for his consideration, "an act to authorize the purchase of a culvert for Old River, in Pulaski county."

Also, "an act to authorize the clerks of the circuit courts of Clark and Scott counties to transcribe certain records in their offices;" this the 17th day of January, 1861.

FAGAN, *Chairman.*

Said report was received.

On motion of Mr. Oates, the Senate resumed the consideration of House bill No. 324, to be entitled "an act supplemen-

tary to an act entitled 'an act to provide for the election of tax collector of Phillips county.' "

Mr. Oates moved to lay the amendments pending on the table, and demanded the yeas and nays thereon; which demand was sustained.

On motion of Mr. Fagan, a call of the Senate was made, when it appeared that Mr. Belser was absent without leave.

The absentee soon appeared, and the roll was called on the motion to lay the amendments on the table.

YEAS—Messrs. Carrigan, Craighead, Davies, Lemoyne, McAlexander, Mitchell, Oates, Pennington, Rosson, Ward, Watkins and Mr. President—12.

NAYS—Messrs. Askew, Belser, Clark, Douglas, Fagan, Gray, McColloch, McCreery, Mecklin, Terry and Trimble—11.

So the amendments were laid on the table.

Mr. Oates moved to suspend the rules for the third reading of the bill; which motion was lost on a division, two-thirds not voting in the affirmative.

So the bill took its course under the rules.

No. 151. Mr. Rosson, on leave, introduced Senate bill, to be entitled "an act to provide for the reception of the archives of the office of the surveyor general of Arkansas."

Read the first time.

On his motion, the rules were twice suspended, the bill read the second and third times by title, and passed.

Mr. Watkins called up House joint resolution No. 28, relative to the Mountain Meadows massacre, which was read the first time.

On his motion, the rules were suspended, the resolution read the second time, and concurred in by the Senate.

Mr. Watkins was called to the chair.

Mr. President called up House bill No. 198, entitled "an act to amend an act entitled 'an act to authorize the county court of Arkansas county to levy a road tax, and for other purposes;'" which was read the first time.

On his motion, the rules were twice suspended, the bill read the second and third times by title and passed.

Mr. Rosson called up House joint resolution No. 35, relative to a proposed mail route from Mt. Olive to Riggsville, in Izard county; which was read the first time.

On his motion, the rules were suspended, the resolution read the second time and concurred in by the Senate.

Mr. President moved to take a recess until 7 o'clock, p. m; which was lost.

Mr. Craighead moved to adjourn until 9 o'clock to-morrow morning; which motion was also lost.

Mr. Askew called up House bill No. 273 to be entitled "an act to regulate the practice of medicine in the State of Arkansas;" which was read the first time.

On motion of Mr. President, the rules were suspended, and the bill read the second time, by title.

Mr. Rosson moved to reject the bill, on which motion Mr. Askew called for the yeas and nays.

Said call was sustained and ordered, with the following result:

YEAS—Messrs. Askew, Belser, Carrigan, Craighead, Douglas, Gray, Lemoyne, McCreery, Mecklin, Oates, Pennington, Rosson, Terry and Trimble—14.

NAYS—Messrs. Clark, Davies, McAlexander, McColloch, Mitchell, Ward, Watkins and Mr. President—8.

So the bill was rejected.

Mr. Belser called up House bill No. 359, to be entitled "an act to change the line between the counties of Ashley and Chicot;" which was read the first time.

On his motion, the rules were twice suspended, the bill read the second and third times, by title, and passed.

Mr. Carrigan called up House bill No. 116, to be entitled "an act for the relief of the heirs and legal representatives of Richard Y. Merchant, deceased, late of Lafayette county, State of Arkansas, and for other purposes;" which was read the first time.

On his motion, the rules were twice suspended, the bill read the second and third times, by title, and passed.

Mr. Clark, from a select committee, reported the following

amendment to Senate bill No. 144, to be entitled "an act to incorporate a company for the improvement of the Arkansas river," and recommended its adoption:

Amend by adding at the end of the 2d section, the following proviso, to-wit:

Provided further, That said company shall not be permitted to change any toll in this act mentioned, until it shall have produced to the governor satisfactory evidence that the river has been opened by said company, to the depth, between the several intermediate points on said river, at low water, according to the provisions of this act, and provided further, that the legislature shall at any time have the right to reduce the rates of toll mentioned in this act, but such toll shall not be reduced below twenty-five per cent. net profits on expense of the improvements.

On motion of Mr. Clark, said amendment was adopted.

Mr. Clark moved to read the bill the third time, pending which motion, the Senate, on motion of Mr. Askew, adjourned until 9 o'clock, to morrow morning.

THOS. FLETCHER,

President.

FRIDAY, *January 18th*, 1861.

The Senate convened.

Roll called.

P R E S E N T :

Messrs. Askew, Belser, Carrigan, Clark, Craighead, Davies, Douglas, Fagan, Gray, Lemoyne, McAlexander, McColloch, McCreery, Mecklin, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—23.

The journal of yesterday was read, approved and signed.

Mr. Watkins, on leave, called up House bill No. 252, to be entitled "an act to incorporate the White River Valley Railroad Company;" which was read the first time.

On his motion, the rules were twice suspended, the bill read the second and third times by title and passed.

Mr. Mecklin, from the committee on enrollments, made the following

REPORT:

Mr. PRESIDENT—

The committee on enrollments, having examined "an act to incorporate the Huntsville and Ozark Turnpike Company," report it correctly enrolled.

ROBT. W. MECKLIN,
one of committee.

Read and received.

Message from the House of Representatives by the clerk:

Mr. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have passed the following House bills, to-wit:

No. 361, to be entitled "an act for the election of a tax assessor for the county of Columbia."

No. 362, to be entitled "an act to amend the law in relation to ferries in Crittenden county."

No. 363, entitled "act to amend the levee law in Desha county."

Said three House bills are herewith transmitted for the assent of your honorable body, which is respectfully asked.

The House of Representatives have assented to Senate engrossed bill No. 80, entitled "an act to aid the Arkansas Institute for the Blind, which was incorporated on the 4th day of February, A. D. 1859."

Said bill is herewith returned.

S. M. SCOTT, *Clerk of*
House of Representatives.

Mr. Craighead made the following

REPORT:

Mr. PRESIDENT—

The committee of conference, appointed by the

Senate and the House of Representatives, to consider the amendments made by the Senate to House bill No. 194, and disagreed to by the House, have had the same under consideration, and a majority of said committee have instructed me to report that the Senate ought to recede from the said amendments; all the members of the House committee, to-wit: Van Patten, Jones, Smith, Farr, Armstrong and Acree voting that the Senate ought to secede, and the whole Senate committee, to-wit: Craighead, Rosson and Fagan, voting that the Senate ought not to recede from said amendments.

CRAIGHEAD, *Chairman.*

Which report was adopted, and the Senate thereby receded from the amendments disagreed to by the House, and the majority of the conference committee.

Mr. Fagan, from the committee on enrollments, made the following

REPORT:

Mr. PRESIDENT—

The committee on enrollments have examined "an act to incorporate the Little Rock, Washington and Fort Smith telegraph company," and find same correctly enrolled.

FAGAN, *Chairman.*

Received.

The calling of the roll alphabetically was resumed.

Mr. Davies gave way to Mr. Oates, who moved that the Senate reconsider the vote of yesterday rejecting House bill No. 16, to be entitled "an act for the relief of certain persons holding certificates of application to purchase certain swamp lands in the old Helena swamp land district."

Which motion prevailed.

On his further motion, the vote ordering said bill to its third reading was reconsidered, and the secretary instructed to request the return of said bill from the House of Representatives.

Mr. Douglas called up House bill No. 316, entitled "an act to authorize the governor to execute deeds or titles in certain cases," which was in the hands of the chairman of the committee on the judiciary, who, by request of Mr. Douglas, returned the same to the Senate.

On motion of Mr. Douglas, said bill was read the third time.

when Mr. Pennington called for the yeas and nays on its passage, which call was sustained and ordered with the following result:

YEAS—Messrs. Clark, Davies, Douglas, McColloch, McCreery, Mecklin, Trimble and Ward—8.

NAYS—Messrs. Askew, Belser, Carrigan, Fagan, Gray, Lemoyne, McAlexander, Mitchell, Oates, Pennington, Rosson, Terry, Watkins and Mr. President—14.

So the bill did not pass.

Mr. Fagan called up House bill No. 327, to be entitled “an act making appropriations for the year 1861, and for part of the year 1862, and for balances due from the state,” which was read the first time.

On motion of Mr. Fagan, the rules were suspended, and the bill read the second time by title.

On motion of Mr. Oates, the Senate went into committee of the whole to consider of said bill, Mr. Clark taking the chair. After some time spent in deliberation, the committee rose, and through their chairman, reported the following amendments to said bill, asking to be discharged from its further consideration:

Amend 3d item of section 1, by striking out “one hundred” and inserting “two hundred.”

Amend section 2 by striking out “one dollar and fifty cents” for servant hire to the Senate, and inserting “two dollars.”

Amend 20th item, section 1, by striking out “five hundred” and inserting “seven hundred.”

Amend section 4 by striking out “four dollars” per diem of page to the House, and inserting “three dollars.”

Amend by an additional section, to-wit:

Section —. To pay rent of executive mansion, the sum of one thousand dollars.

On motion of Mr. Fagan, said amendments were adopted.

Mr. Carrigan offered to amend item 2, by striking out “to let out the binding of the decisions of the supreme court at the discretion of the reporter,” and say, “he shall advertise for proposals and let it out to the lowest bidder.”

Which amendment was lost.

Mr. Trimble offered to amend by an additional section, to-wit:

Sec. —. To pay for the gas burned in the Senate chamber and hall of the House of Representatives and state offices, the sum of five hundred dollars.

On motion of Mr. Rosson, said amendment was laid on the table indefinitely.

On motion of Mr. Rosson, the bill was read the third time, as amended, and passed.

The following message was received from the House of Representatives by the clerk:

Mr. PRESIDENT—

I am instructed in obedience to the request of your honorable body, to return to the Senate, House bill No 16, entitled "an act for the relief of certain persons holding certificates of application to purchase certain swamp lands in the old Helena district," for your further consideration.

S. M. SCOTT, *Clerk of*
House of Representatives.

Mr. Lemoyne, on leave, from the joint standing committee on banks, presented the following

REPORT:

Mr. PRESIDENT—

The joint committee on banks would respectfully represent and report that owing to the investigations of the banks by the committee of the General Assembly of 1842, and the research and investigation of the committee of 1852, and the searches and researches of the committees of every succeeding General Assembly, as also the able reports made by accountants to the executive under and by virtue of an act of the General Assembly of January 15th, 1857, your committee deemed it unnecessary to re-examine the books of said banks, relying upon the correctness of said reports, together with the reports made by the financial receiver of the Bank of the State of Arkansas, and the receiver in chancery, all of which your committee pray may be taken as part of this report, as reference thereto will show the condition of said institutions and their management from the year 1842, until the present time.

Your committee further represent that the bill heretofore reported which has passed this General Assembly providing for the liquidation of the state debt on account of the Real

Estate Bank, is a sufficient guaranty to the state for all needful legislation upon the subject at the present session.

Your committee are of the opinion and recommend that the office of financial receiver of the State Bank be abolished, and the remainder of the effects of the State Bank be turned over by said receiver, to the treasurer of the state, and if any claims are in his opinion yet collectable, said treasurer be authorized to place the same in the hands of some reliable attorney or attorneys, giving them ten per centum on all amounts collected and paid over on account of said claims.

Your committee would further represent that owing to the present crisis in political affairs and threatened overthrow of the federal government, it has been considered impolitic to recommend the appropriation of any of the treasury fund towards the payment of the state debt on account of the State Bank. It was considered to the interest of the state to loan the Memphis and Little Rock railroad company, one hundred thousand dollars of the "five per cent fund," and the dangerous and unprotected condition of the state, imperatively demanded an appropriation for its defence, for which one hundred thousand dollars is appropriated, which, with other needful appropriations, will so exhaust the treasury, that it has been deemed advisable to defer further legislative action concerning the banks during the present session.

All of which is respectfully submitted,

G. W. LEMOYNE, *Chairman*
on part of Senate.

R. W. HARPER, *Chairman*
on part of House.

Which report was read and received.

The following are the documents made part of the foregoing report, except those which have been published and preserved with former journals.

REPORT OF FINANCIAL RECEIVER.

1ST OCTOBER, 1858.

FINANCIAL RECEIVER'S OFFICE, STATE BANK, }
Little Rock, October 1st, 1858. }

To His Excellency, ELIAS N. CONWAY,

Governor of the State of Arkansas:

SIR: In compliance with law, I herewith submit my report, as financial receiver of the Bank of the State of Arkansas:

Subsequent to the report of my predecessor, made on the 1st

October, 1856, and before the expiration of his term of office, he collected from various debtors to the bank in Arkansas

Bank funds.....	\$ 15,643 90	
In lands.....	700 00	
In specie.....	44 21	
		\$16,388 11

He paid for various expenses of the office, in specie..... 147 14.

To Gordon N. Peay, as clerk of the circuit court of Pulaski county, he paid on account of fee bill, in notes of the Real Estate Bank of Arkansas. 230 00

And in Arkansas State Bank funds.... 608 60

Under a special act of the legislature, he paid to Wm. C. Bevins, late attorney for the branch of the State Bank at Batesville, in specie..... 700 00

1,685 74

In compliance with an act of the legislature, approved the 19th of January, 1855, he exchanged bonds and coupons of the Real Estate Bank of the State of Arkansas, of equal value, viz:

33 bonds, amounting, with interest to date of exchange..... 63,420 00

9 detached coupons, \$30 each..... 270 00

63,690 00

He canceled and filed with the state treasurer, bonds and coupons of the Bank of the State of Arkansas, amounting, to date of treasurer's receipt, to..... 80,599 32

He transferred to me on the 13th February, 1857, in specie..... 141 80

In notes of the branches of the Bank of the State of Arkansas..... 110 00

In uncurrent bank notes and corporation tickets 2,664 62

108 Real Estate Bank Bonds, amounting, with interest to the 1st of January, 1857, to..... 153,600 00

40 detached coupons from Real Estate Bank bonds..... 1,200 00

2 State Bank bonds, which had been deposited by Messrs. Watkins & Gallagher, subject to be checked

upon by them, in payment of debts due the bank, amounting, with interest to date of deposit, to.....	3,865 00	
37 detached coupons from State Bank bonds.....	1,110 00	
		162,691 42

Since I commenced my official duties, I have received the following amounts, in specie, viz:

From Peter T. Crutchfield, esq., balance due by him as former financial receiver.....	42 68	
From the representatives of John M. Ross in part of balance due by him as financial receiver.....	2,000 00	
From various debtors to the bank.....	314 78	
From James F. Fagan, esq., transferred to me on the 13th of Feb., 1857....	141 80	

Making a total of.....		2,499 26
The legislature at its last session, passed an act, directing the financial receiver to refund to William C. Bevins, late bank attorney, a special dposit of.....		1,064 88
made by him in gold, as there was not then specie enough in the possession of Mr. Fagan, to discharge the whole amount, he paid Mr. Bevins.....	700 00	
And issued a certificate of deposit for the remainder.....	364 88	
		1,064 88

This certificate was redeemed out of the money paid by the representatives of Mr. Ross; and this payment added to.....	131 10	
disbursed by me, for various expenses of the office, from the 13th of February, 1857, to the 30th of September, 1858, has reduced the specie in my hands to.....	2,003 28	
From various debtors to the bank, I have collected in Arkansas bank funds, the sum of.....		21,283 26

In addition to the 108 Real Estate Bank bonds and 40 detached coupons that I received from my predecessor, I received two

bonds from other persons, and found an additional coupon in the iron safe.

All these bonds and coupons have been exchanged for an equal value of State bank bonds and coupons.

The 110 Real Estate Bank bonds, and the 41 detached coupons, amounted, with interest on bonds computed up to the days on which the exchanges were made, to the sum of \$161,275.

In addition to the 2 State Bank bonds, and 37 detached coupons, passed over to me by my predecessor, I received 3 bonds and 26 detached coupons from debtors to the bank. And I obtained 87 bonds, and 25 detached coupons in exchange for an equal value of Real Estate bank bonds and coupons.

All these bonds, 92 in number, and all the detached coupons, 88 in number, have been canceled and filed with the state treasurer. Their aggregate value was \$182,762.

The State Bank notes I received from my predecessor, \$110, have been duly registered and burnt according to law.

There is neither an Arkansas bank note, nor an Arkansas bond, at the present time, in the office of the financial receiver, a circumstance which never before occurred since the liquidation act was passed.

The uncurrent bank notes, and the corporation tickets, that I received from my predecessor, amounting to \$2,664 62, remain on hand; and to these has been added \$150 in uncurrent bank notes, found among the papers in the office. A detailed account of these uncurrent bank notes was sent to a banker in Mississippi. He replied that they were not worth one cent.

In carrying on the business of this office, it is occasionally necessary to issue certificates of deposit to those who make overpayments, and to open a regular deposit account with some of those who make dealings in Arkansas bonds and coupons a regular business. This proves a great convenience, not only to them, but to such debtors to the bank as wish to make payments.

A man, for example, wishes to pay a fractional sum of money into the bank, say \$555 57. This is less than the value of a bond. Detached coupons are not easily procured; and if they could be procured they would not make the exact sum wanted. In such cases the debtor goes to a house that has a deposit in bank, and purchases a draft for the precise sum desired. It is thought that if a knowledge of this mode of doing business was more generally diffused, many persons who owe small amounts to the bank, would be willing to take advantage of it, especially as they could make \$50 in specie pay a debt to the bank of \$100.

In my general account, depositors are credited with the aggregate sum of \$17,172 97, and debited with \$16,690 79,

leaving a balance due to them at the present time of \$482 18.

My predecessor, taking Mr. Ross' classification of debts as a basis for his estimate, supposed that of the amounts then due, (October 1st, 1856,) not more than \$35,000 could be collected. But between that day and the close of his term of office, he collected \$15,643 90, in Arkansas bank funds; \$700 in lands, and \$44 21 in specie; making together \$16,388 11. If, to this amount be added \$21,283 20 in Arkansas bank funds, and \$292 28 in specie, collected since that date, it will be seen that the total collected between the 1st October, 1856, and the 1st Oct., 1858, is \$37,963 59. It is believed that if suitable means be taken, considerable amounts in addition may yet be collected.

In the report of the accountants will be found a full statement of the assets, together with the liabilities of the bank, etc.

Very respectfully,

H. G. WILSON, *Financial Receiver of the
Bank of the State of Arkansas.*

REPORT OF GORDON N. PEAY, AS RECEIVER IN CHANCERY OF THE REAL
ESTATE BANK.

OFFICE OF RECEIVER IN CHANCERY OF THE ASSETS OF
THE REAL ESTATE BANK OF THE STATE OF ARKANSAS, }
Little Rock, Arkansas, 1st October, 1858. }

His Excellency, ELIAS N. CONWAY,
Governor of the State of Arkansas:

SIR—In compliance with the order of the honorable the chancery court of Pulaski county, of the 20th of April, 1855, I have the honor to submit the accompanying statements in regard to the affairs and condition of the assets of the Real Estate Bank of the State of Arkansas, remaining in my hands as the receiver of said chancery court:

No. 1—Statement of debts paid in full since the 1st of October, 1856.

No. 2—Statement of part payments on debts since the 1st of October, 1856.

No. 3—Statement of cash received and disbursed since the 1st of October, 1856.

No. 4—Statement of bonds issued by the state to the State Bank, received since the 1st of October, 1856.

No. 5—Statement of bonds issued by the state to the Real Estate Bank, received since the 1st October, 1856.

No. 6—Statement of Real Estate taken in payment of debts, purchased under decrees of foreclosure of mortgages, purchased for taxes, and with swamp land scrip, since the 1st of October, 1856.

No. 7—Statement of Real Estate sold since the 1st of October, 1856.

No. 8—Statement of Real Estate remaining unsold on the 1st of October, 1856.

No. 9—Statement of account of bonds issued to Real Estate Bank, showing balance of principal and interest thereon, remaining unredeemed 1st October, 1856.

No. 10—General statement of the liabilities and assets of the bank, on the 1st day of October, 1856.

Very respectfully, your ob't serv't.,

GORDON N. PEAY, *Receiver*
assets R. E. Bank.

No. 1.

STATEMENT of debts paid in full since the 1st day of October, A. D. 1856.

Date of entry on journal.	Page of journal.	Names of debtors.	Amounts received.		Amounts paid in specie.	Amounts paid in bonds and coupons and in checks of Watkins & Gallagher, on their deposits.	Amounts paid in real estate.	Amounts paid by transfer to other accounts.	REMARKS.
			Principal.	Interest.					
Dec. 31, '56.	121	James Erwin	528 33	834 82	.....	2,038 85	.....	110 67	Charged to James H. Walker.
same	121	same	675 70						
same	121	R. M. Bailey	80 00	30 67	.....	.....	.....	110 67	Charged to James H. Walker.
same	121	J. O. Calloway	1,675 12	567 68	.....	2,242 80	.....		
same	121	C. B. Mitchel	1,968 29	281 52	.....	2,612 69	.....	110 67	Charged to James H. Walker.
same	121	same	362 88						
Jan. 2, 1857.	123	R. P. Rankin	3,135 25	2,675 41	.....	5,810 66	.....	110 67	Paid by R. P. Rankin.
same	123	Rankin and Elgin	6,049 00	8,215 50	.....	14,264 59	.....		
same	123	William Yerby	665 78	828 19	.....	1,493 97	.....	110 67	same
same	123	J. J. Powell	174 70	164 79	.....	339 49	.....		
Feb. 1, 1857.	125	B. F. Hempstead	475 00	18 35	.....	493 35	.....	110 67	Paid by Edward Morton.
same	125	Frederic Notrebe	6,345 32	4,163 93	.....	10,509 25	.....		
same	125	Henry K. Brown	323 41	1,321 39	.....	4,576 88	.....	110 67	Paid by Edward Morton.
same	125	same	1,674 67						
same	125	same	1,257 41	115 28	.....	1,992 62	.....	110 67	Paid by Edward Morton.
same	126	George Hill	1,877 34						
same	126	J. R. Campbell	16,694 00	19,781 77	.....	25,493 20	25,493 20	110 67	Paid by Edward Morton.
same	126	C. W. Campbell	8,470 00	6,040 63	.....	.....	.....		
same	135	A. J. Armstrong	565 00	291 45	.....	856 45	.....	110 67	Paid by Edward Morton.
same	135	Joseph Stuart	1,307 57	906 82	.....	2,214 79	.....		
same	135	Morrill & Sutton	120 19	6 41	126 60	.....	.....	110 67	Paid by Edward Morton.
April 1, 1857	139	Ezekial Nance	332 44	75 29	20 00	346 65	.....		
same	139	N. & D. M. Hayden ..	13,591 06	1,538 20	.....	15,129 26	.....	110 67	Charged B. F. Hempstead, balance.
same	139	E. Mirrick	2,278 90	558 15	.....	2,837 05	.....		

June 1, 1857.	151	Thomas J. Lacy.....	400 00	448 39	.....	548 89	.....	Paid by A. Pike security.
same	151	Albert Pike.....	4,000 00	2,753 57	.....	10,897 21	.....	
same	151	same	4,000 00					
same	151	same	143 64					
same	151	John Drennen.....	14,926 66	5,758 37	.....	20,685 03	.....	
same	151	J. S. McKiel.....	7,657 73	619 53	.....	8,277 26	.....	
same	151	Joel J. Offutt.....	315 97	421 47	.....	1,973 74	.....	Paid by J. J. Offutt.
same	151	William Pratt.....	603 14					
same	151	Sabret Offutt.....	633 16					
same	151	Benj. P. Gaines.....	782 99	156 61	2,505 57			
same	151	same	782 99					
same	151	same	782 98					
same	151	William H. Gaines...	1,504 89	500 64	.....	2,005 53	.....	
same	151	Thomas W. N wton..	6,682 31	1,353 09	.....	8,035 40	.....	
same	151	same	1,200 00	239 47	1,439 47			
same	151	William H. Sutton...	319 09	30 91	350 00			
same	151	Daniel T. Witter.....	2,938 40	581 15	.....	3,519 55	.....	
same	152	B. F. Hempstead.....	42 72	20 56	.....		63 28	Paid by salary as attorney.
June 9, 1857	156	J. T. Carrington.....	2,509 88	1,484 97	.....	3,994 85	.....	
June 10, '57.	156	Monroe & Baird.....	116 71	27 38	144 09			
June 18, 1857	157	John Ringgold.....	272 10	51 30	323 40			
July 16, do	158	Jonas Levy.....	96 72	56 64	.....	153 36	.....	Paid by S. S. Sanger, security.
July 22, do	159	Margaret Williams...	3,454 10	1,415 79	.....	4,869 89	.....	Paid by Mrs. N. E. Tollison.
July 24, do	159	D. J. Baldwin.....	2,000 00	1,252 89	.....	3,252 89	.....	Paid by adm'r of E. Walters.
Sept. 1, do	161	Andrew Scott.....	1,404 00	.....	.....	1,404 00	.....	Paid by A. W. Lyon.
Oct. 19, do	163	William McD. Pettit..	9,104 12	1,207 26	.....	10,311 38	.....	
same	163	John R. H. Scott.....	378 00	.....	.....	378 00	.....	Compromised.
Oct. 29, 1857	164	Edward Cross.....	4,002 60	1,859 10	.....	3,341 70	2,520 00	
Dec, 7, do	165	R. Thruston.....	400 00	97 63	497 63			
Jan'y 1, 1858	171	A. H. Rutherford....	771 70	.....	.....	771 70	.....	Compromised.
Jan'y 20, '58	171	Sarah W. Pettus.....	94 86	58 35	.....	153 21	.....	
March 31, '58	174	Roswell Beebe.....	1,510 71	617 01	.....	2,127 72	.....	
April 1, 1858	175	Mrs. F. M. Walker...	712 42	63 14	1,487 98			
same	175	same	712 42					
same	30	Samuel C. Wheat....	137 05					
May 10, 1858	177	H. L. Biscoe.....	250 00	25 00	275 00			
same	177	Ferguson & Kasee....	320 00	28 01	348 00			
						222 00	.....	Paid by Conway and Witter.

No. 1—CONCLUDED.

Date of entry on journal.	Page of Journal.	Names of Debtors.	Amounts received.		Amounts paid in specie.	Amounts paid in bonds and coupons and in checks of Watkins & Gallagher, on their deposits.	Amounts paid in real estate.	Amounts paid by transfer to other accounts.	REMARKS.
			Principal.	Interest.					
May 10, 1858	177	R. H. Hargraves.....	\$ 2,971 49	\$ 1,415 85	.....	\$ 4,387 34	.....	.....	Paid by J. S. Deputy.
May 26, "	178	William Scott.....	652 50	.....	.....	652 50	.....	.....	Paid by E. Burke.
June 1, "	179	Charles W. Adams...	253 11	25 89	279 00	.....	.....	.....	
June 30, "	180	James Williams.....	302 24	326 43	.....	.....	628 67	.....	Paid by A. M. Clingman.
July 24, "	181	Hanger and Moody...	3,721 00	119 47	.....	3,840 47	.....	.....	
Aug. 16, "	182	William H. Gaines..	18,594 89	4,232 45	.....	22,827 34	.....	.....	
same	183	Benjamin P. Gaines..	2,047 50	361 50	2,409 00	.....	.....	.....	
same	183	William H. Johnson..	4,645 11	1,287 03	.....	5,932 14	.....	.....	
same	183	Byers & Chapman....	3,745 00	2,026 68	.....	5,771 68	.....	.....	
Sept. 11, 1858	185	James Maddin.....	1,079 08	1,681 17	.....	5,000 00	.....	.....	{Paid on compromise by adm'r of estate of James Maddin.
same	185	Phillip Maddin.....	1,491 50						
same	185	J. Moreland.....	748 25						
Sept. 21, 1858	186	Elias Rector.....	2,254 70	.....	.....	2,254 70	.....	.....	Compromised.
Sept. 31, "	186	J. S. McKiel.....	7,657 73	1,489 43	.....	9,147 16	.....	.....	
same	187	Charles Rapley.....	1,891 46	906 18	.....	2,797 64	.....	.....	
Feb. 16, 1858	172	H. L. Biscoe.....	333 33	47 20	380 53	.....	.....	.....	
Totals.....			\$198980 71	\$83,549 29	\$10,536 27	\$ 240,911 13	\$30,817 57	\$ 215 03	

Total principal of debts paid in full.....	\$198,980 71
Total interest paid in full.....	83,549 29

Total.....	\$ 282,530 00
Amount paid in bonds and checks of Watkins & Gallagher, on their deposits of bonds.....	\$240,911 13
Amount paid in specie.....	10,586 27
Amount paid in real estate.....	30,817 57
Amount paid by transfer to other accounts.....	215 03
Total.....	\$282,530 00

1st October, 1858.

GORDON N. PEAY,
Receiver R. E. Bank.

No. 2.

STATEMENT *Of part payments on bills and notes since 1st October, 1856, viz:*

When Paid.	By whom Paid.	In Specie.	In bonds and checks of Watkins & Gallagher on their deposit.	Paid by transfer to other accounts and in real estate.	REMARKS.
Feb'y 16, 1858..	Biscoe, Henry L.....		\$ 882 61		
same	same	\$ 520 00			
Sept'r 30, 1858..	Bozeman, M.....		9,335 00		
October 14, 1856.	Brown, Henry K.....			\$ 480 00	Credit by account of James H. Walker.
March 9, 1857...	Caruthers, A. B.....		435 00		
May 10, 1858....	Cook, L. B.....	361 00			Paid by J. J. Offutt, security.
October 17, 1856.	Davies, Anthony H.....		10,666 98		
August 16, 1858.	same		6,082 50		
January 26, 1857.	Fort, Lewis B.....		3,000 00		
May 3, 1858.....	same		4,000 00		
May 15, 1858....	same		5,734 15		
June 18, 1857....	Gaster, Stephen.....		10,359 19		
August 16, 1858.	same		20,275 00		
Nov. 30, 1856....	Hendon, Fleetwood.....			237 69	Credit by account of B. F. Hempstead.
April 9, 1857....	Hickman, Peter T.....			41 81	Credit by balance to credit of D. T. Witter.
January 7, 1858..	same			577 70	do do do of James Crabtree.
August 19, 1857.	Johnson, William.....		1,935 66		Paid by E. S. Johnson.
Nov'r 24, 1856...	Johnson, L. L.....		1,924 00		
July 25, 1857....	Merrick, Thomas D.....	1,050 00			
March 1, 1858...	same	971 10			
Nov'r 27, 1856...	Rankin, R. P.....		2,091 29		
March 1, 1857...	Stewart, Charles A.....			390 74	Balance to credit of N. & D. M. Hayden.
March 17, 1857..	same		500 00		
May 12, 1858....	same		600 00		
December 8, 1856	Walker, Samuel D.....		20,859 66		Paid by administratrix of estate.
March 16, 1857..	Woodruff, William E.....		6,400 74		

January 1, 1858..	Woodruff, William E .....	.....	1500 00	In real estate.
do 30, do ..	same .....	.....	478 55	
March 31, do ..	same .....	.....	1212 04	
Sept. 30, do ..	same .....	.....	1500 00	
	Totals.....	\$ 2902 10	\$ 108,272 37	\$ 3227 94

Payments in specie	\$ 2,902 10
In bonds and checks of Watkins & Gallagher	108,272 37
In real estate	1,500 00
By transfer to other accounts.....	1,727 94
Total	\$114,402 41

October 1st, 1858.

GORDON N. PEAY, *Receiver*
Real Estate Bank.

Dr. *GORDON N. PEAY, as Receiver of R. E. Bank, in account with cash.—No. 3.*

Date.			In payment of notes.	For rents and sales of real estate.	Total.
October 1, 1856..	To balance on hand as per report of this date				499 63
January 13, 1857	To cash received from Benjamin Murphy for rent.....			15 00	15 00
Feb. 2, do	do do Morrell & Sutton, on debt		126 60		126 60
April 2, 1857....	do do H. Flanagan, for rents collected			149 88	149 88
April 14, 1857...	do do Benjamin P. Gaines, on debt		2,505 57		2,505 57
same	do do William Johnson, for purchase of land			800 00	800 00
April 16, 1857...	do do C. G. Baldwin, for purchase of land.....			800 00	800 00
April 26, 1857...	do do J. Robinson, for rent			15 00	15 00
May 18, 1857....	do do Gibson & Keatts, for rent.....			280 00	280 00
do 18, do....	do do William H. Sutton, on debt		350 00		350 00
do 21, do....	do do H. L. Biscoe, for purchase of land.....			360 00	360 00
June 1, do....	do do Estate of T. W. Newton, in payment of debt.....		1,439 47		1,439 47
do 10, do....	do do Monroe & Baird, in payment of debt		144 09		144 09
do 18, do....	do do sale of \$32 89 of swamp land scrip.....				29 61
same	do do John Ringgold, in payment of debt.....		323 40		323 40
do 27, do....	do do J. McDaniel, for purchase of land.....			1,600 00	1,600 00
July 25, do....	do do A. C. & H. E. Wellborn, on purchase of land			10,000 00	10,000 00
same	do do T. D. Merrick, on debt		1,050 00		1,050 00
Aug. 19, do....	do do H. M. Rector, on purchase of land			910 35	910 35
same	do do H. M. Rector on rent of land			175 00	175 00
Sept. 1, do....	do do H. P. Coolidge, for purchase of lots.....			700 00	700 00
Nov. 10, do ...	do do Brodie & Osburn, for rent of lots.....			217 90	217 90
Dec. 7, do....	do do R. Thruston, in payment of note.....		497 63		497 63
Dec. 26, do....	do do Andrews & Hempstead, on purchase of lots.....			25 00	25 00
February 2, 1858	do do J. A. Fuzzell, for rents			60 00	60 00
do 16, do..	do do H. L. Biscoe, on bond.....			380 53	380 53
April 1, do..	do do Mrs. F. M. Walker, in payment of notes		1,487 98		1,487 98
March 1, do..	do do T. D. Merrick, on debt		971 10		971 10
Feb. 16, do..	do do H. L. Biscoe, in part payment of note		520 00		520 00

April 5 1858..	do	do	S. N. Caughey, part payment of land	2,666 66	2,666 66
May 10, do....	do	do	H. L. Biscoe, in payment of note for rent.....	275 00	275 00
same	do	do	Ferguson & Kasee, in payment of note for land.....	348 00	348 00
same	do	do	J. J. Offutt, on note of L. B. Cook	361 00	361 00
June 1, do....	do	do	C. W. Adams, in payment of note	279 00	279 00
June 18, do....	do	do	William Crabtree, for rents.....	60 00	60 00
Aug. 16, do....	do	do	Benjamin P. Gaines, in payment of debts	2,409 00	2,409 00
Total.....				\$ 12,464 84	
				Total.....	\$ 19,838 32
					\$ 32,832 40
October 1, 1858	To balance of cash on hand this day.....				\$ 2,275 47

1856, 1857 and 1858.

Cr.

By cash paid state, county and road tax, and city taxes on real estate belonging to the bank, for the years 1856 and 1857, for redemption of lands sold for taxes, and for dower interest in lands, as per vouchers on file in this office.....	\$ 8,805 53
By cash paid fee bills of costs of suits to clerks, sheriffs, masters and commissioners in chancery, since the 1st of Oct., 1856, as per vouchers on file in this office, (the principal part of which accrued prior to appointment of receiver).....	1,082 29
By cash paid salaries and fees of attorneys, salary of receiver and clerk, since the 1st of Oct., 1856, part of which accrued prior to that date, as per vouchers on file in this office	10,421 97
By cash paid Wm. W. Adams, as adm'r of estate of E. Cummins, in part of his salary as attorney for receiver, accrued prior to 1st Oct., 1856, as per voucher on file in this office	1,451 60
By cash paid Ringo & Trapnall, balance of decree in their favor against the trustees, as per voucher on file in this office.....	1,350 92
By cash paid Lentz & Flack, being the deposit to their credit at the Van Buren branch, as per voucher on file in this office.....	486 37
By cash paid account of Wm. E. Woodruff, adjusted and allowed by Pulaski chancery court, being balance due him from the late trustees for taxes paid by him on real estate, belonging to the bank, as per voucher.....	3,308 45
By cash paid A. H. Garland's account, adjusted and allowed by Pulaski chancery court, being for balance due him for services rendered as attorney for the late trustees, as per vouchers on file	477 27
By cash paid miscellaneous expenses of trust, since 1st Oct., 1856, being for printing, stationery, repairs on bank property, traveling expenses of receiver, on business of the trust, etc., as per vouchers on file.....	707 53
By Real estate bank notes redeemed and burned in the presence of the auditor and treasurer of the state, since the 1st Oct., 1856, as per their certificate on file in this office	2,465 00
Cash on hand to balance account.....	2,275 47
	\$ 32,832 40

No 4.

STATEMENT—Of State Bank Bonds received by Gordon N. Peay, as Receiver of the assets of the Real Estate Bank of the State of Arkansas, from the 1st day of October, A. D. 1856, to the 1st day of October, A. D. 1858, to-wit:

When received.	No. of Bond.	From whom received.	Principal.	Interest when received.	Interest accrued from date of receipt to date of exchange.	REMARKS.
Oct. 17, 1856..	242	Charles B. Mitchel	1,000 00	915 84	.....	Exchanged with Receiver of State Bank, 1st January, 1857.
same	856	Johnson Chapman.....	1,000 00	917 83	.....	same same
same	854	A. H. Davies	1,000 00	917 83	.....	same same
same	855	same	1,000 00	917 83	.....	same same
same	859	same	1,000 00	917 83	.....	same same
same	860	same	1,000 00	917 83	.....	same same
same	874	same	1,000 00	917 83	.....	same same
Nov. 4, 1856..	705	Watkins & Gallagher	1,000 00	920 66 $\frac{2}{3}$	.....	same same
same	706	same	1,000 00	920 66 $\frac{2}{3}$	.....	same same
same	707	same	1,000 00	920 66 $\frac{2}{3}$	.....	same same
same	708	same	1,000 00	920 66 $\frac{2}{3}$	.....	same same
same	709	same	1,000 00	920 66 $\frac{2}{3}$	.....	same same
Nov. 25, 1856.	710	same	1,000 00	924 16	.....	same same
same	711	same	1,000 00	924 16	.....	same same
same	712	same	1,000 00	924 16	.....	same same
same	713	same	1,000 00	924 16	.....	same same
same	714	same	1,000 00	924 16	219 04 $\frac{2}{3}$	same same
Nov. 30, 1856.	717	same	1,000 00	925 00	.....	same same
same	718	same	1,000 00	925 00	.....	same same

No. 4—CONTINUED.

When received.	No. of Bond.	From whom received.	Principal.	Interest when received.	Interest accrued from date of receipt to date of exchange.	REMARKS.
April 14, 1857.	428	William H. Gaines	1,000 00	947 33	.....	Exchanged with Receiver of State Bank, 1st June, 1857.
same	430	same	1,000 00	947 33	.....	
same	857	same	1,000 00	947 33	.....	
same	858	same	1,000 00	947 34	.....	
May 8, 1857...	609	Watkins & Gallagher.....	1,000 00	951 16	.....	
same	610	same	1,000 00	951 16	.....	
same	611	same	1,000 00	951 17	.....	
same	612	same	1,000 00	951 17	.....	
same	613	same	1,000 00	951 17	.....	
Jan'y 24, 1857.	238	J. S. McKiel.....	1,000 00	934 00	.....	
Feb'y 21, 1857.	421	same	1,000 00	938 50	126 34	same
same	422	same	1,000 00	938 50	.....	same
May 16, 1857..	9	John Drennen.....	1,000 00	952 50	.....	same
same	672	same	1,000 00	952 50	.....	same
same	673	same	1,000 00	952 50	.....	same
same	674	same	1,000 00	952 50	.....	same
same	675	same	1,000 00	952 50	.....	same
same	676	same	1,000 00	952 50	.....	same
same	677	same	1,000 00	952 50	.....	same
same	678	same	1,000 00	932 50	.....	same
same	679	same	1,000 00	952 50	.....	same
July 1, 1857...	616	Watkins & Gallagher.....	1,000 00	960 00	.....	Exchanged with receiver of State Bank, 1st July, 1857.
same	617	same	1,000 00	960 00	.....	
same	618	same	1,000 00	960 00	.....	
same	619	same	1,000 00	960 00	.....	
same	620	same	1,000 00	960 00	.....	

same	621	same	1,000 00	960 00
same	622	same	1,000 00	960 00
same	623	same	1,000 00	960 00
same	624	same	1,000 00	960 00
same	625	same	1,000 00	960 00
Oct'r 17, 1857.	671	Estate of Wm. McD. Pettit.	1,000 00	977 83
same	878	same	1,000 00	977 83
same	879	same	1,000 00	977 83
same	880	same	1,000 00	977 83
same	881	same	1,000 00	977 83
Dec'r 26, 1857.	660	W. W. Andrews, 27 coupons.	810 00	
March 1, 1858.	782	John C. Palmer.	1,000 00	1,000 00
same	783	same	1,000 00	1,000 00
same	784	same	1,000 00	1,000 00
same	785	same	1,000 00	1,000 00
same	786	same	1,000 00	1,000 00
same	787	same	1,000 00	1,000 00
same	788	same	1,000 00	1,000 00
same	789	same	1,000 00	1,000 00
Aug. 16, 1858..	771	Stephen Gaster	1,000 00	1,027 50
same	772	same	1,000 00	1,027 50
same	773	same	1,000 00	1,027 50
same	774	same	1,000 00	1,027 50
same	775	same	1,000 00	1,027 50
same	752	A. H. Davies.	1,000 00	1,027 50
same	753	same	1,000 00	1,027 50
same	754	same	1,000 00	1,027 50
same	776	William H. Gaines.	1,000 00	1,027 50
same	777	same	1,000 00	1,027 50
same	778	same	1,000 00	1,027 50
same	779	same	1,000 00	1,027 50
same	780	same	1,000 00	1,027 50
same	781	same	1,000 00	1,027 50
same	790	same	1,000 00	1,027 50
same	769	Johnson Chapman.	1,000 00	1,027 50
same	770	same	1,000 00	1,027 50

same	same
same	same
same	same
same	same
same	same
Exchanged with Receiver of State Bank, 1st November, 1857.	
same	same
24 coupons exchanged with receiver of State Bank, Nov. 1, 1857.	
1 " " " " Sept. 30, 1858.	

No. 2—CONCLUDED.

When received.	No. of bond.	From whom received.	Principal.	Interest when received.	Interest accrued from date of receipt to date of exchange.	REMARKS.
Sept. 30, 1858.	751	M. Bozeman	1,000 00	255 00		
same	755	same	1,000 00	1,035 00		
same	794	Watkins & Gallagher	1,000 00	1,035 00		
same	795	same	1,000 00	1,035 00		
same	796	same	1,000 00	1,035 00		
same	797	same	1,000 00	1,035 00		
same	798	same	1,000 00	1,035 00		
same	799	same	1,000 00	1,035 00		
same	800	same	1,000 00	1,035 00		

Total principal of State Bank bonds received from 1st October, 1856, to 30th September, 1858.....	\$126,000 00
Total coupons and interest on bonds to date when received.....	121,265 41 $\frac{1}{3}$
Total interest accrued on bonds from date of receipt to date of exchange.....	520 57 $\frac{2}{3}$
Total.....	\$247 785 99
Total principal and interest exchanged with financial receiver of State Bank	173,790 00
Balance on hand not exchanged.....	\$73,995 99
Interest on balance from time when received to this date.....	579 01
State bonds and interest on hand.....	\$74 575 00

October 1st, 1858.

GORDON N. PEAY, *Receiver*
Real Estate Bank.

No. 5.

STATEMENT—of *Real Estate Bank* bonds received by *Gordon N. Peay*, as receiver of the assets of the said bank, from the 1st day of October, A. D. 1856, to the 1st day of October, A. D. 1858.

When received.	No. of bond.	From whom received.	Principal of bonds received from State Bank in exchange.	Interest on bonds received from State Bank in exchange.	Principal of bonds received from other sources.	Interest on bonds received from other sources.	Interest accrued from date of receipt to date of deposit.	REMARKS.
Oct. 17, 1856..	983	Anthony H. Davies .....	.....	.....	1,000 00	77 83	.....	Deposited in the state treasury 1st Jan., '57.
Nov. 4, 1856..	187	Wm. Henry Johnson.....	.....	.....	1,000 00	890 57	.....	same
same	188	same .....	.....	.....	1,100 00	890 57	.....	same
Dec. 8, 1856...	234	Estate of Samuel D. Walker	.....	.....	1,000 00	896 33 $\frac{1}{3}$	.....	same
same	235	same .....	.....	.....	1,000 00	896 33 $\frac{1}{3}$	.....	same
same	236	same .....	.....	.....	1,000 00	896 33 $\frac{1}{3}$	.....	same
same	245	same .....	.....	.....	1,000 00	886 33 $\frac{1}{3}$	71 36 $\frac{1}{3}$	same
same	261	same .....	.....	.....	1,000 00	896 33 $\frac{1}{3}$	.....	same
same	262	same .....	.....	.....	1,000 00	896 33 $\frac{1}{3}$	.....	same
same	263	same .....	.....	.....	1,000 00	896 33 $\frac{1}{3}$	.....	same
same	264	same .....	.....	.....	1,000 00	896 33 $\frac{1}{3}$	.....	same
same	265	same .....	.....	.....	1,000 00	896 33 $\frac{1}{3}$	.....	same
same	266	same .....	.....	.....	1,000 00	896 33 $\frac{1}{3}$	.....	same
same	267	same .....	.....	.....	1,000 00	896 33 $\frac{1}{3}$	.....	same
Jan. 1, 1857...	275	Received of State Bank	1,000 00	930 00	.....	.....	.....	same
same	280	same	1,000 00	930 00	.....	.....	.....	same
same	281	same	1,000 00	930 00	.....	.....	.....	same
same	282	same	1,000 00	930 00	.....	.....	.....	same
same	298	same	1,000 00	930 00	.....	.....	.....	same
same	420	same	1,000 00	930 00	.....	.....	.....	same
same	552	same	1,000 00	930 00	.....	.....	.....	same
same	554	same	1,000 00	930 00	.....	.....	.....	same
same	773	same	1,000 00	930 00	.....	.....	.....	same
same	902	same	1,000 00	930 00	.....	.....	.....	same
same	935	same	1,000 00	930 00	.....	.....	.....	same

same	....	937	same	.....	1,000 00	930 00	.....	.....	same
same	....	938	same	.....	1,000 00	930 00	.....	.....	same
same	....	939	same	.....	1,000 00	930 00	.....	.....	same
same	....	947	same	.....	1,000 00	930 00	.....	.....	same
same	....	169	same	.....	1,000 00	930 00	.....	.....	same
same	....	818	same	.....	1,000 00	930 00	.....	.....	same
same	....	36	same	.....	1,000 00	930 00	.....	.....	same
same	....	607	same	.....	1,000 00	930 00	.....	.....	same
same	....	601	same	.....	1,000 00	930 00	.....	.....	same
same	....	611	same	.....	1,000 00	930 00	.....	.....	same
same	....	984	same	.....	1,000 00	930 00	.....	.....	same
same	....	985	same	.....	1,000 00	930 00	.....	.....	same
same	....	986	same	.....	1,000 00	930 00	.....	.....	same
same	....	373	same	.....	1,000 00	900 00	.....	.....	same
same	....	553	same	.....	1,000 00	900 00	.....	.....	same
same	....	577	same	.....	1,000 00	900 00	.....	.....	same
same	....	579	same	.....	1,000 00	900 00	.....	.....	same
same	....	580	same	.....	1,000 00	900 00	.....	.....	same
same	....	581	same	.....	1,000 00	900 00	.....	.....	same
same	....	583	same	.....	1,000 00	900 00	.....	.....	same
same	....	585	same	.....	1,000 00	900 00	.....	.....	same
same	....	586	same	.....	1,000 00	900 00	.....	.....	same
same	....	27	same (9 coupons)	.....		270 00	.....	.....	same
January 26, '57.	244	B. F. Hempstead (28 coupons)	.....			840 00	.....	Deposited in state treasury 1st April, 1857.	
Feb'y 10' 1857.	507	Charles W. Campbell	.....		1,000 00	936 67	.....		same
same	....	508	same	.....	1,000 00	936 66	.....		same
same	....	509	same	.....	1,000 00	936 66	.....		same
same	....	510	same	.....	1,000 00	936 66	.....		same
March 1, 1857.	734	N. and D. M. Hayden	.....		1,000 00	940 00	.....		same
same	....	775	same	.....	1,000 00	940 00	.....		same
same	....	736	same	.....	1,000 00	940 00	.....		same
same	....	737	same	.....	1,000 00	940 00	.....		same
same	....	738	same	.....	1,000 00	940 00	.....		same
same	....	739	same	.....	1,000 00	940 00	.....		same
same	....	740	same	.....	1,000 00	940 00	.....		same
same	....	741	same	.....	1,000 00	940 00	.....	same	
April 1, 1857..	12	Watkins & Gallagher	.....		1,000 00	945 00	.....	same	

No. 5--CONTINUED.

When received.	No. of Bond.	From whom Received.	Principal of bonds received from State Bank in exchange.	Interest on bonds received from State Bank in exchange.	Principal of bonds received from other sources.	Interest on bonds received from other sources.	Interest accrued from date of receipt to date of deposit.	REMARKS.
April 1, 1857..	14	Watkins & Gallagher.....	.....	.....	1,000 00	945 00	.....	Deposited in the state treasury 1st April, '57
do	15	do do .....	.....	.....	1,000 00	945 00	.....	do do
do	16	do do .....	.....	.....	1,000 00	945 00	.....	do do
do	20	do do .....	.....	.....	1,000 00	945 00	.....	do do
do	174	do do .....	.....	.....	1,000 00	945 00	.....	do do
do	274	do do .....	.....	.....	1,000 00	945 00	.....	do do
do	278	do do .....	.....	.....	1,000 00	945 00	.....	do do
do	279	do do .....	.....	.....	1,000 00	945 00	.....	do do
do	560	do do .....	.....	.....	1,000 00	945 00	.....	do do
do	27	Received of State Bank.....	1,000 00	645 00	.....	.....	.....	do do
do	37	do do	1,000 00	915 00	.....	.....	.....	do do
do	38	do do	1,000 00	75 00	.....	.....	.....	do do
do	40	do do	1,000 00	165 00	.....	.....	.....	do do
do	75	do do	1,000 00	135 00	.....	.....	.....	do do
do	76	do do	1,000 00	135 00	.....	.....	.....	do do
do	77	do do	1,000 00	135 00	.....	.....	.....	do do
do	78	do do	1,000 00	135 00	.....	.....	.....	do do
do	110	do do	1,000 00	165 00	.....	.....	.....	do do
do	113	do do	1,000 00	165 00	.....	.....	.....	do do
do	168	do do	1,000 00	915 00	.....	.....	.....	do do
do	173	do do	1,000 00	135 00	.....	.....	.....	do do
do	176	do do	1,000 00	135 00	.....	.....	.....	do do
do	177	do do	1,000 00	135 00	.....	.....	.....	do do
do	224	do do	1,000 00	165 00	.....	.....	.....	do do
do	277	do do	1,000 00	135 00	.....	.....	.....	do do
do	322	do do	1,000 00	135 00	.....	.....	.....	do do

No. 5—CONTINUED.

When received.	No. of Bond.	From whom Received.	Principal of bonds received from State Bank in exchange.	Interest on bonds received from State Bank in exchange.	Principal of bonds received from other sources.	Interest on bonds received from other sources.	Interest accrued on bonds from date of receipt to date of deposit.	REMARKS.
June 1, 1857..	684	Received of State Bank....	1,000 00	925 00	.....	.....	.....	Deposited in the state treasury 1st June, '57
do	700	do do	1,000 00	925 00	.....	.....	.....	do do
do	703	do do	1,000 00	925 00	.....	.....	.....	do do
do	705	do do	1,000 00	925 00	.....	.....	.....	do do
do	708	do do	1,000 00	925 00	.....	.....	.....	do do
do	710	do do	1,000 00	925 00	.....	.....	.....	do do
do	711	do do	1,000 00	925 00	.....	.....	.....	do do
do	712	do do	1,000 00	925 00	.....	.....	.....	do do
do	718	do do	1,000 00	925 00	.....	.....	.....	do do
do	719	do do	1,000 00	925 00	.....	.....	.....	do do
do	723	do do	1,000 00	925 00	.....	.....	.....	do do
do	726	do do	1,000 00	925 00	.....	.....	.....	do do
do	728	do do	1,000 00	925 00	.....	.....	.....	do do
do	955	do do	1,000 00	925 00	.....	.....	.....	do do
do	786	do do	1,000 00	925 00	.....	.....	.....	do do
do	901	do do	1,000 00	925 00	.....	.....	.....	do do
do	775	do do	1,000 00	895 00	.....	.....	.....	do do
do	769	do do	1,000 00	895 00	.....	.....	.....	do do
July 1, 1857..	979	do do	1,000 00	180 00	.....	.....	.....	Deposited in the state treasury 1st July, '57
do	980	do do	1,000 00	150 00	.....	.....	.....	do do
do	982	do do	1,000 00	210 00	.....	.....	.....	do do
do	987	do do	1,000 00	180 00	.....	.....	.....	do do
do	988	do do	1,000 00	150 00	.....	.....	.....	do do

No. 5—CONTINUED.

When received.	No. of Bond.	From whom received.	Principal of bonds received from State Bank in exchange.	Interest on bonds received from State Bank in exchange.	Principal of bonds received from other sources.	Interest on bonds received from other sources.	Interest accrued on bonds from date of receipt to date of deposit.	REMARKS.
Nov. 1, '57.....	.....	From Receiver of State Bank	}	.....	.....	.....	.....	Deposited in state treasury 1st Nov. 1857.
same .....	.....	1 coupon from each of		.....	.....	.....	.....	do
same .....	.....	bonds numbers 917, 912, 922,		.....	.....	.....	.....	do
same .....	.....	915, 913, 919, 924, 927, 930,		.....	.....	.....	.....	do
same .....	.....	749, 753, 748, 745, 769, 178,		840 00	.....	.....	.....	do
same .....	.....	714, 606, 322, 615, 350,		.....	.....	.....	.....	do
same .....	.....	700, 695, 693, 685, 183 and		.....	.....	.....	.....	do
same .....	.....	722, and 2 coupons from bond		.....	.....	.....	.....	do
same .....	.....	number 758, making in all 28		.....	.....	.....	.....	do
same .....	.....	coupons.		.....	.....	.....	.....	do
January 1, 1858	848	Watkins & Gallagher .....	.....	.....	1,000 00	210 00	.....	Deposited in state treasury 1st Jan. 1858.
same	868	same .....	.....	.....	1,000 00	210 00	.....	do
same	869	same .....	.....	.....	1,000 00	210 00	.....	do
same	870	same .....	.....	.....	1,000 00	210 00	.....	do
same	871	same .....	.....	.....	1,000 00	210 00	.....	do
same	872	same .....	.....	.....	1,000 00	210 00	.....	do
same	873	same .....	.....	.....	1,000 00	210 00	.....	do
same	874	same .....	.....	.....	1,000 00	210 00	.....	do
same	916	same .....	.....	.....	1,000 00	210 00	.....	do
same	958	same .....	.....	.....	1,000 00	210 00	.....	do
same	976	same .....	.....	.....	1,000 00	210 00	.....	do
same	977	same .....	.....	.....	1,000 00	210 00	.....	do
same	978	same .....	.....	.....	1,000 00	570 00	.....	do
same	908	same .....	.....	.....	1,000 00	930 00	.....	do
same	924	same .....	.....	.....	1,000 00	930 00	.....	do
same	930	same .....	.....	.....	1,000 00	930 00	.....	do

Jan. 1, '58 ..	956	same	1,000 00	960 00	Deposited in state treasury 1st Jan. '58.
Jan. 30, 1858..	.....	Watkins & Gallagher.....	.....	.....	do do do 1st June, '58.
same	1	coupon from each of bonds	.....	.....	do
same .....	.....	numbers 808, 809, 821,	.....	.....	do
same .....	.....	822, 823, 824, 825, 826,	.....	.....	do
same .....	.....	827, 828, 829, 830, 831, 832,	.....	930 00	do
same .....	.....	833, 834, 835, 836, 837, 838,	.....	.....	do
same .....	.....	839, 840, 842, 843, 844, 845,	.....	.....	do
same .....	.....	846, 847, 848, 849 and 850,	.....	.....	do
same .....	.....	in all 31 coupons .....	.....	.....	do
Feb. 19, 1858..	283	S. N. Caughey (33 coupons.)	.....	.....	do
same	284	same do do ..	.....	990 00	do
same	285	same do do ..	.....	990 00	do
same	286	same do do ..	.....	990 00	do
same	287	same do do ..	.....	990 00	do
same	288	same (7 coupons) ..	.....	210 00	do
March 1, 1858	742	J. C. Palmer 33 cp'ns 2 m. int.	.....	1,000 00	do
same	953	same same ..	.....	1,000 00	do
same	42	Watkins & Gallagher, do ..	.....	1,000 00	do
same	45	same same ..	.....	1,000 00	do
same	46	same same ..	.....	1,000 00	do
same	47	same same ..	.....	1,000 00	do
same	48	same same ..	.....	1,000 00	do
same	472	same same ..	.....	1,000 00	do
same	475	same same ..	.....	1,000 00	do
same	476	same same ..	.....	1,000 00	do
June 1, 1859..	41	Watkins & Gallagher	1,000 00	1,015 00	do
same	43	same	1,000 00	1,015 00	do
same	44	same	1,000 00	1,015 00	do
same	49	same	1,000 00	1,015 00	do
same	50	same	1,000 00	1,015 00	do
same	475	same	1,000 00	1,015 00	do
same	458	same	1,000 00	1,015 00	do
same	471	same	1,000 00	1,015 00	do
same	473	same	1,000 00	1,015 00	do
same	474	same	1,000 00	1,015 00	do
same	477	same	1,000 00	1,015 00	do

No. 5—CONCLUDED.

When received.	No. of Bond.	From whom received.	Principal of bonds received from State Bank in exchange.	Interest on bonds received from State Bank in exchange.	Principal of bonds received from other sources.	Interest on bonds received from other sources.	Interest accrued on bonds from date of receipt to date of deposit.	REMARKS.
June 1, 1858..	478	Watkins & Gallagher .....	.....	.....	1,000 00	1,015 00	.....	Deposited in the state treasury 1st June '58
same	479	same .....	.....	.....	1,000 00	1,015 00	.....	do
same	480	same .....	.....	.....	1,000 00	1,015 00	.....	do
same	481	same .....	.....	.....	1,000 00	1,015 00	.....	do
August 16, '58.	293	Stephen Gaster.....	.....	.....	1,000 00	1,027 50	.....	Deposited in the state treasury 30th Sept. '58
same	294	same .....	.....	.....	1,000 00	1,027 50	.....	do
same	295	same .....	.....	.....	1,000 00	1,027 50	.....	do
same	296	same .....	.....	.....	1,000 00	1,027 50	.....	do
same	297	same .....	.....	.....	1,000 00	1,027 50	.....	do
Sept. 15, 1858.	452	Watkins & Gallagher.....	.....	.....	1,000 00	1,032 50	.....	do
same	453	same .....	.....	.....	1,000 00	1,032 50	.....	do
same	454	same .....	.....	.....	1,000 00	1,032 50	.....	do
Sept. 30, 1858.	258	J. S. McKiel .....	.....	.....	1,000 00	1,005 00	.....	do
same	400	M. Bozeman .....	.....	.....	1,000 00	1,005 00	.....	do
same	912	same .....	.....	.....	1,000 00	1,005 00	.....	do
same	917	same .....	.....	.....	1,000 00	1,005 00	.....	do
same	425	same (1 coupon.)..	.....	.....	.....	30 00	.....	do
same	992	Rec'r State Bank (1 do.....	.....	30 00	.....	.....	.....	do

Principal and interest of Real Estate Bank bonds received from Financial Receiver of State Bank, in exchange for State Bank bonds and interest.....	\$ 175,025 00.
Principal and interest of R. E. Bank bonds received from other sources.....	206,171 94 $\frac{2}{3}$
Interest accrued on bonds from date of receipt to date of deposit in state treasury.....	458 05 $\frac{1}{3}$
Total received and cancelled and deposited in state treasury, from 1st October, 1856, to 1st October, 1858.....	\$381,665 00

October 1, 1858.

GORDON N. PEAY,
Receiver R. E. Bank.

No. 6.

ABSTRACT—Of lands purchased by receiver under decrees for taxes with swamp land scrip, and taken in payment of debts.

Date of deed.	By whom conveyed to receiver.	$\frac{1}{4}$, $\frac{1}{2}$ or part of $\frac{1}{4}$ section.	$\frac{1}{4}$ or $\frac{1}{2}$ of section.	Section.	Township.	Range.	No. of acres of stock lands.	No. of acres not stock.	Sum bid or allowed for lands.	REMARKS.
Aug. 21, '55.	Earl C. Bronaugh, as com'r in chancery....	s half nw	12	1 n	12		80 00			
		ne nw	12	1	12 w		40 00			
		sw ne	12	1	12		40 00			
		ne sw	12	1	12		40 00			
	Lot No. 4, of 1,000 acre grant....			1	12		35 11			
	Lot No. 5, of 1,000 acre grant....			1	12		77 81			
Nov. 13, '55.	B. C. Crump, as sheriff and collector of Crittenden county.....	se	7	3	6e		.....	160 00		
		n half ne	18	3	6		40 00	10 00		
		s half sw	8	3	6		80 00			
		section	17	3	6		640 00			
		sw se	8	3	6		40 00			
Nov. 11, '56.	O. P. Lyles, as com' in chancery.....	fractional	5	4	8		112 28			
		w half frl	8	4	8		398 00			
		e half ne	18	4	8		80 00			
		se	7	4	8		160 00			
		se frl	15	6	9		130 89			
		se ne	9	10	9		40 00			
May 30, '56.	J. J. Horner, as com'r in chancery.....	w part ne frl	30	2s	5					
		w half se	30	2	5		164 94			
	und. half	sw	30	2	5					
	Grant to	S. Phillips, in	1	5	5		320 00			
		se frl	17	2	5		29 02			
	north part of grant to	Wm. H. Glass in	2	5	5		147 66			
									2,600 00	{ Pulaski co. Mortgaged by R. C. Byrd to secure 200 shares of stock. Mortgage foreclosed and land purchased by receiver under decree.
									53 19	{ Crittenden co. Mortgaged by Abner Driver to secure 101 shares of stock. Purchased by receiver for taxes.
									350 00	{ Crittenden co. Mortgaged by W. D. Dabney as transferee of Drewry Bettis, for stock in western branch, mortgage foreclosed and lands purchased by receiver under decree.
									320 00	{ Phillips co. Part of lands mortgaged for stock by Fleetwood Hanks. Mortgage foreclosed and lands purchased by receiver under decree.

Sept. 12, '55	part of grant to Abraham Ramer in Elliott H. Fletcher & wife.....	se 14 14 n 11 e half 23 14 11 fractional 24 14 11 e half nw 25 14 11 e half 26 14 11	2s 5e 150 27	160 00 320 00 553 07 80 00 320 00	28656 72	{ Mississippi co. Taken in payment of Fletcher's debt, by order of chancery court.
May 30, '56	J. J. Horner, as com'r in chancery.....	sw hlf of private survey No. 500}	6 4	320 00	50 00	{ Crittenden co. Mortgaged by Curl to secure payment of debt. Mortgage foreclosed and lands purchased by receiver under decree.
same	J. J. Horner, as com'r in chancery.....	se 9 2 sw frl 10 2 residy nw frl 1/4 15 2 ne nw 15 2 ne fractional 15 2	6 6 6 6 6 6 6 6 6 6	160 00 126 90 220 80	70 00	{ Phillips co. Mortgaged by Wm. Clark to secure 120 shares of stock, and purchased by trustees under decree of foreclosure. Trustees sold lands to Thos. Peters, and he executed mortgage to secure purchase money. Mort- gage was foreclosed and lands purchased by receiver under decree.
same	J. J. Horner, as com'r in chancery.....	ne 20 1 s 4	4	160 00	.....	{ Phillips co. Mortgaged by Wm. Ryan, to secure 25 shares of stock, and were purchased by trustees under decree of foreclosure, and sold to J. C. and A. J. Mc- Crory, and purchased by receiver under decree of fore- closure of their mortgage.
Feb. 10, '57.	Charles W. Campbell.	section 7 14 n 11 sw 17 14 11 s half 18 14 11 section 19 14 11 section 3 14 10 section 9 14 10 section 10 14 10 s half 13 14 10 section 14 14 10 section 17 14 10 section 24 14 10	11 11 11 11 10 10 10 10 10 10	679 39 160 00 334 49 661 73 645 92 640 00 640 00 320 00 640 00 640 00 840 00	25493 20	{ Mississippi co. Received from C. W. Campbell, by order of chancery ct., in paym't of one half of his debt.
Feb. 23, '57.	John Hutt, as swamp land agent..... Certificates of entry..	e half sw 23 2s sw sw 23 2 nw 26 2 sw nw 25 2 se se 25 2 ne ne 36 2	6 w 5 6 6 6 6	80 00 40 00 160 00 40 00 40 00 40 00	.....	{ Prairie and Arkansas cos. Lands entered with swamp land scrip.

No. 6—CONCLUDED.

Date of deed.	By whom conveyed to receiver.	$\frac{1}{4}$, $\frac{1}{2}$ or part of $\frac{1}{4}$ section.	$\frac{1}{4}$ or $\frac{1}{2}$ of section.	Section.	Township.	Range.	No. of acres of stock lands.	No. of acres not stock.	Sum bid or allowed for lands.	REMARKS.
Feb. 23, '57.	John Hutt, as swamp land agent		nw 19	19	2 s	5 w		175 83	2,450 00	{Prairie and Arkansas counties. Lands entered with swamp land scrip.
			n hf sw 19	19	2	5	.....	86 10		
			s half se 18	18	2	5	.....	80 00		
			e half sw 18	18	2	5	.....	80 00		
			s half se 19	19	2	5	.....	80 00		
			s hf sw 20	20	2	5	.....	80 00		
			sw se 20	20	2	5	.....	40 00		
			e hf 30	30	2	5	.....	320 00		
			e hf sw 30	30	2	5	.....	80 00		
			w hf 29	29	2	5	.....	330 00		
			w hf e hf 29	29	2	5	.....	160 00		
			n hf nw 31	31	2	5	.....	88 01		
			ne 31	31	2	5	.....	160 00		
			nw 32	32	2	5	.....	160 00		
			w hf ne 32	32	2	5	.....	80 00		
			e hf 22	22	2	5	.....	320 00		
			e hf sw 22	22	2	5	.....	80 00		
			sw 23	23	2	5	.....	160 00		
			w hf se 23	23	2	5	.....	80 00		
			n hf ne 26	26	2	5	.....	80 00		
			nw 26	26	2	5	.....	160 00		
			w hf sw 26	26	2	5	.....	80 00		
			s hf n hf 34	34	2	5	.....	160 00		
			ne 27	27	2	5	.....	160 00		
Sept. 1, 1857.	Aaron W. Lyon north of White river .}	w fr hf se fr $\frac{1}{4}$ }		27	12 n	3		61 35	1,404 }	Jackson co. Received in consideration of transfer of judgment against Andrew Scott and others.

Sept. 18, '57.	Edward Cross and wife	e hf sw 28 10 s 24 w							
		nw se 28 10	24						
		e hf ne 12 10	24						
		e hf sw 13 10	24			600 00	2,520 00		{Hempstead co. Received from Edward Cross, in
		se 13 10	24						{ payment of balance of his debt.
		se 12 10	24						
Dec. 10, '57.	A. H. Rutherford	w frl hf nw 2 2n 11				78 07			
		ne se 3 2	11			40 00			
Dec. 9, '57..	W. B. Rutherford and	n hf n hf 13 2	11			160 00	751 70		{Pulaski co. Received in payment of balance of
	wife	ne se 13 2	11			40 00			{ debt of A. H. Rutherford.
		sw se 13 2	11			40 00			
		nw sw 13 2	11			40 00			
Jan. 1, '58..	Wm. E. Woodruff	lot 3, block 8, e Q.					1,500 09		{Pulaski county. Received from Wm. E. Woodruff
	and wife	line Little Rock .							{ in part payment of his debt.
June 30, '58.	Alex. M. Clingman..	s hf sw 6 5 s 23				121 20	628 67		{Clark county. Received in payment of balance due
		ne sw 6 5 23							{ on debt of James Williams.

Lands purchased under decrees of foreclosure of stock mortgages.....	3,496 68	acres for sum of	\$ 3,593 19
Lands not mortgaged for stock purchased under decree	320 00	" "	50 00
Lands received in payment of debts (not mortgaged for stock)	8,815 22	" "	59,474 29
Lands entered with swamp land scrip.....	3,669 94	" "	2,450 00
Total.....	16,301 84	" "	\$65,567 48
1 lot in city of Little Rock, received in payment of debt, for sum of.....			1,500 00

October 1, 1858.

GORDON N. PEAY,
Receiver R. E. Bank.

Date	Name	Section	Quarter	Acres	Value	Notes
June 27, '57.	James McDaniel.	22	2	15		of Watkins & Gallagher, on their deposit.
		15	2	15		
		16	2	15		
		36	11	28	160 00	
		25	11	28	160 00	
July 3, '57 ..	Henry P. Coolidge	lots 54 & 55 in Helena.			700 00	Hempstead co. Part of lands mortgaged by Finley & Oakley. Purchase money paid in full.
July 25, '57.	A. C. and H. E. Wellborn	e hf se 30	11 s	1 w	80 00	Phillips co. Purchase money paid in full.
		e hf ne 31	11	1	80 00	
		section 32	11	1	160 00	
		fractional 33	11	1	211 15	
		section 5	12	1	520 96	
		fractional 4	12	1	238 32	
April 5, '57.	Henry M. Rector.	w frl hf 25	3	14	97 54	
		se frl 36	3	14	151 90	
		sw frl 31	3	13	77 91	
		w hf ne 36	3	14	80 00	
		w frl hf 36	3	14	77 84	
Oct. 31, 1857	Jas. C. Tappan & R. H. Hargraves	sw 4	4	4e	184 08	
		w pt se frl 4	4	4	160 00	
		ne 8	4	4	309 44	
		n hf 9	4	4	95 70	
		nw frl 10	4	4		
Nov. 4, '57..	W. D. and J. P. Rice and Robert W. Casteel....	shf 28	3e	4		
		n hf 33	3	4		
		se frl 33	3	4		
		w hf nw 34	3	4		
same	G. D. Royston...	s hf se 30	10	24 w	80 00	
		nw ne 31	10	24	40 00	
		e hf ne 31	10	24	80 00	
Oct. 10, '57.	C. P. Bertrand & S. H. Tucker...	lots 10, 11 & 12 block N o. 1, E. Q. L., in Little Rock.....			6,000 00	
Dec. 7, '57..	Thomas Walden.	w hf se frl 22	8n	31 w	39 45	

No. 7—CONTINUED.

Date of deed.	To whom sold.	$\frac{1}{4}, \frac{1}{2}$ or part of $\frac{1}{4}$ section.	$\frac{1}{4}$ or $\frac{1}{2}$ of section.	No. of section.	Township	Range.	No. of acres of stock land.	Acres not stock.	Price in bonds.	Price in specie.	REMARKS.
Dec. 10, '57.	John S. Horner & Wm. K. Sebastian	und. hf of pri	ate surv	No. 2384, in	1 s	5 e	254 00	....	2540 00	.....	{ Phillips co. Part of lands mort. for stock by F. Hanks. Purchase money paid in full by check of Watkins & Gallagher on their deposit.
Dec. 12, '57.	Wm. C. Bradley.	se 10	19	25 w	19	25	160 00	....	1,000 00	.....	{ Lafayette co. Part of lands mort. for stock by T. T. Williamson. Purchase money paid in full by check of Watkins & Gallagher on their deposit.
Dec. 18, '57.	Francis T. Leake.	sw frl 11	1 n	10	1	10	33 90	....	442 20	.....	{ Pulaski co. Part of lands mort. for stock by R. D. C. Collins, as transferee of Chester Ashley. Purch's money p'd in full by check of Watkins & Gallagher on depts't
Dec. 23, '57.	John F. Hanks..	ne fl nw fl 14	1	10	1	10	4 59	....	2,000 00	.....	{ Phillips co. Part of land mort. for stock by Fleetwood Hanks. Purchase money paid in full by check of Watkins & Gallagher on their deposit.
		sw fl nw fl 14	1	10	1	10	5 73	....			{ Hempstead co. Purchase money paid in full, as follows:
		Part of private survey, No. 2420, in se fl 17	2 s	5 e	2	5 e	150 27	....			{ Balance to credit of W. W. Adams \$ 60 80
							29 00	....			{ Check of Watkins & Gallagher..... 1,525 00
Dec. 26, '57.	Wm. W. Andrews & B. F. Hempstead	Lots 1, 2, 3 & 4, in bl'k	town of	Washington, Ark	kan's		.....	.....	3,000 00	.....	{ Coupons from State Bank bond..... 810 00
											{ Real Estate Bank notes 20 00
											{ 1 State Bank note..... 5 00
											{ Total..... \$3,020 80
Dec. 31, '57.	Cyrus G. Baldwin.	se 9	2 n	4 e	2	4	160 00	....	10000 00	.....	{ Phillips co. Mort. by Wm. Clark to secure 120 shares of stock: \$5,000 paid on purchase by check of Watkins & Gallagher upon their deposit: Note for residue payable Dec. 12, '58, & secured by mort. with power of sale in default of payment.
		sw fl 10	2	4	2	4	126 90	....			
		nw 15	2	4	2	4	160 00	....			
		ne fl 15	2	4	2	4	60 80	....			

Jan. 7, '58..	G. B. Michie ...	nw 30	5	n	4	e	160 00	.....	1,000 00	.....	{ St. Francis co. Part of land mortgaged for stock by Wm. Strong. Purchase money paid in full by check of Watkins & Gallagher on their deposit.
same	Peter Hanger & Francis H. Moody	se 13	1		12	w					
		e hf sw 24	1		12						
		e hf se 24	1		12						
		e hf ne 24	1		12						
		sw 18	1		11						
		nw 19	1		11						
		w hf ne 19	1		11						
		w hf sw 19	1		11		1705 25	.....	11163 00	.....	{ Pulaski co. Mortgaged by Thos. Thorn, as transferee of David Fulton, to secure 72 shares of stock: \$3,721 paid on purchase by check of Watkins & Gallagher upon their deposit: Notes for residue, payable on 1st January, 1859; and 1st January, 1860, secured by mortgage, with power of sale in default of payment.
		e hf se 19	1		11						
		w hf sw 20	1		11						
		ne 30	1		11						
		w hf se 30	1		11						
		sw 30	1		11						
		e hf nw 31	1		11						
		w hf ne 31	1		11						
		e hf se 31	1		11						
Jan. 30, '58.	Henry F. Mooney.	ne 20	1	s	4	e	160 00	.....	1,600 00	.....	{ Phillips co. Mort. by Wm. Ryan to secure 25 shares of stock: 533 34 paid on purchase by check of Watkins & Gallagher on their deposit. Note for residue, payable Jan'y 1, '59, with 8 per cent. interest from date, & secured by mortgage, with power of sale in default of payment.
Feb. 19, '58.	Sam'l N. Caughey	sw 30	19		1	w	160 00				{ Chicot co. Lands conveyed to trustees by James Clark, in part payment of his debt, part of which are embraced in his stock mortgage. \$5,160 paid on purchase in Real Estate Bank bonds. Notes for residue, payable in one and two years, with 8 per cent. interest from date, and secured by mortgage, with power of sale in default of payment.
		w part se 30	19		1		70 00				
		w hf frl 31	19		1		81 55				
		whf e hf fl 31	19		1		43 12		15383 00	.....	
	East of Bayou Ma	son, frac'l 36	19		2		92 49				
		se frl 25	19		2		.....	137 50			
		e hf sw frl 25	19		2		.....	80 00			
March 1, '58.	Geo. W. Johnson.	s half 36	3		3	e					{ Phillips co. These lands, together with 174.67 acres in Pulaski county, were mortgaged by William Cummins, to secure 150 shares of stock. Purchase money paid in full by check of Watkins & Gallagher on their deposit.
		w frl hlf 31	3		4						
		w fl hf ne fl 31	3		4		969 52	.....	8,100 00	.....	
		se 4	4		3						
		sw 3	4		3						

No. 7—CONTINUED.

Date of deed.	To whom sold.	$\frac{1}{4}$, $\frac{1}{2}$ or part of $\frac{1}{4}$ section.	$\frac{1}{4}$ or $\frac{1}{2}$ of sec. Section.	Township.	Range.	No. of acres of stock land.	Acres not stock.	Price in bonds.	Price in specie.	REMARKS.
March 1, '58	Victor M. Flournoy	s hf	4 3	n 7 e						Crittenden co. Mort. by P. W. Porter to secure 236 shares of stock. Purchase money paid in full as follows: In State Bank bonds and coupons \$7,900 00 Coupons from R. E. Bonds..... 2,000 00 Check of Watkins & Gallagher..... 1,562 00 Total..... \$11,162 00
		nw	4 3	7						
		w hf ne	4 3	7						
	Undivided $\frac{1}{2}$ }	section	9 3	7		1,146 17	.....	11462 00	.....	
		w hf	10 3	7						
		se	10 3	7						
		s hf	11 3	7						
		e frl hf	15 3	7						
		w hf sw	3 3	7						
		n hf	30 19	s 1 w						
April 5, '58	S. N. Caughey. {	shf	19 19	1						Chicot co. \$2,666 66 in specie paid on purchase, and notes executed for the residue, payable in R. E. Bank bonds and coupons, in one and two years, and secured by mortgage, etc.
		ne	19 19	1						
	Undivided $\frac{1}{2}$ }	e hf nw	19 19	1		.....	960 00	10666 66	2,666 66	
		e hf	18 19	1						
		e hf sw	18 19	1						
		e hf	7 19	1						
		se	6 19	1						
		e hf ne	6 19	1						
		e hf nw	6 19	1						
		sw	36 1	4 e		454 98	.....	4,549 80	.....	
April 30, '58	Sam'l Bell & G. W. Gray.....	nw	1 2	4						Phillips co. Mort'd by John M. Burriss to secure 69 shares of stock. \$1,516 66 paid on purchase by check of Watkins & Gallagher on their deposit. Notes for residue payable in 1 and 2 years with 8 per cent. interest from date, and sec'd by mortg'e, with power of sale.
		e hf ne	1 2	4						
May 26, '58	Jas. T. Moore &	se	32 2	n 5						Phillips co. Mortgaged by McCoy W. Campbell to secure 180 shares of stock. \$5,000 paid on purchase by

	Wm. H. Pillow..	section 33	2 n	5 }	1,000 00	1,000 00	{ check of Watkins & Gallagher on their deposit.
		nw 34	2	5 }			Note given for residue, payable 1st January, 1859,
		nw sw 34	2	5 }			and secured by mortgage, with power of sale in default of payment.
Deed to be executed on payment of purchase money. July 1, '58..	Jas. M. McElroy.	se nw 4	11 s	25 w }			Hempstead co. Mort'd by Sam'l McDonald to secure 77 shares of stock: Sold, by order of chancery court, for sum of \$2,000, payable in specie, Dec. 31, '58, with int.; at the rate of 10 per cent. per annum from date: deed to be execut'd on paym't of purchase money.
		e hf sw 4	11	25 }	400 00	2,000 00	Jefferson co. \$4,000 paid on purchase by check of Watkins & Gallagher. Note for residue, payable July 1, '59, with 10 per cent. int. from date; and secured by mort'g.
	Mrs. Julia Roane.	e hf w hf 9	11	25 }			Crittenden co. Mortgaged by Dabney, as transferee of Bettis, to secure 100 shares of stock in western branch. \$4,320 11 paid on purchase, and note for residue, payable 1st July, 1859, secured by mortgage, with power of sale in default of payment.
		e hf ne 17	11	25 }			St. Francis co. Mort'd by Smith Johnson to secure 7 shares of stock: \$500 paid on purchase by check of Watkins & Gallagher on their deposit, and note for residue, payable in 1 year, with 8 per cent. interest from date; secured by mort.with power of sale, in defa'lt, etc.
		ne se 17	11	25 }			
		w frl hf 18	4	9 }	.....	574 00	
		se 13	4	10 }		8,000 00	
Jan. 1, '57..	Mrs. N. E. Tollison	se 7	4 n	8 e }	160 00 }		
		e hf ne 18	4	8 }	80 00 }		
		w hf 8	4	8 }	398 00 }	....	8,000 00
		fractional 5	4	8 }	112 28 }		
		se frl 15	6	9 }	130 89 }		
Jan. 31, '58.	Jas. T. Moore & J. D. Thomas..}	se 15	3 n	3 }	160 00	1,000 00	
Aug. 9, '58.	J. L. Witherspoon	w hf se 28	7 s	21 }	80 00 }		
		w hf ne 33	7	21 }	80 00 }		
		e hf nw 33	7	21 }	80 00 }	....	1,950 00
		part se 28	7	21 }	20 00 }		{ Clark co. Part of lands mort'd for stock by A.H. Ruth-erford: purchase money payable one half April 1, 1859.

No. 7—CONCLUDED.

Date of deed.	To whom sold.	1/4, 1/2 or part of 1/4 section.	1/4 or 1/2 of section.	Section.	Township.	Range.	No. of acres of stock lands.	Acres not stock.	Price in bonds.	Price in specie.	REMARKS.
Nov. 9, 1857	J. L. Malone....	s hlf 12	nw frl 12	nw 22	8 n 8e	8 8	1,970 22		19702 22		{ Crittenden co. Mortgaged by Wright W. Elliott to secure 262 shares of stock: \$7,044 40 paid on purchase by check of Watkins & Gallagher on their deposit. For the residue, Malone was to have executed his two notes, each for the sum of \$6,328 90, payable in one and two years from date, and to be secured by mortgage, but the notes and mortgage have not been executed, and the transaction remains unperfected.
	Private survey No. 2,338...	nw nw 18	sw nw 18	e hlf nw 18	8 8	8 9					
		ne 18	sw sw 7	e hlf sw 7	8 8	8 9					
		w hlf nw 17	se 25	ne 36	8 8	8 9					
		w hlf ne 35	w hlf se 29	nw se 30	8 7	8 20					
		w hlf nw 32	se se 30	part ne se 30	8 7	8 20					
		s hlf sw 29	part ne se 29		8 7	8 20					
					8 7	8 20					
					8 7	8 20					
					8 7	8 20					
August 3, '58	Drewry H. Ross...				7 s 20 w	7 20	357 00		2,000 00		{ Mort'd by Francis J. Browning to secure 60 shares of stock: \$666 66 paid on purchase by check of Watkins & Gallagher on their deposit. Notes for residue, payable in 1 and 2 years, with 8 per cent. interest from date, and secured by mortgage, with power of sale, etc.
					7 20	7 20					
					7 20	7 20					
					7 20	7 20					
					7 20	7 20					
Sept. 3, 1858.	D. P. Godbold...	e hlf 8	w hlf 9		15 20	15 20		640 00	3,200 00		{ Part of lands rec'd by trustees from John T. Jones in payment of his debt: \$1,066 66 paid on purchase by check of Watkins & Gallagher on their deposit. Notes for residue, payable in 1 and 2 yrs., with 8 per cent. int. from date, and secured by mort. with power of sale, etc.
					15 20	15 20					

Sept. 20, 1858	James Scull.....	section 4	5	9	} 1,074 06.....10000 00.....	{	Mortg'd by R. D. C. Collins, as transferee of Chester Ashley, together with 1,480.06 acres in Pulaski county, to secure 299 shares of stock; \$3,333 33 paid on purchase by check of Watkins & Gallagher on their deposit. Notes for residue, payable in 1 and 2 years, and secured by mortgage, with power of sale, etc.
		s frl half	5	9			
		ne frl	8	5			
		w hlf nw	9	5			

Lands sold which have been mortgaged for stock..... 15,630 96 acres.
Lands sold which have not been mortgaged for stock..... 6,064 01 "

Total acres sold..... 21,694 97-100

Amount of sales of lands payable in state bonds..... \$ 171,770 46
Three lots in the city of Little Rock payable in state bonds..... 6,000 00
Four lots in the town of Washington, payable in state bonds..... 3,000 00

Total sales payable in bonds..... \$ 180,770 46

Amount of sales of lands payable in specie..... \$49,157 71
Two lots in the town of Helena, payable in specie..... 700 00

Total sale payable in specie..... 49,857 71

Total amount of sales of real estate..... \$ 230,628 17

1st October, 1858.

GORDON N. PEAY,
Receiver R. E. Bank.

No. 8.

ABSTRACT *Of lands remaining unsold 1st October, 1858.*

In what county situate.	1/4, 1/2 or part of 1/4 section.	1/4 or 1/2 of section.	Section.	Township.	Range.	No. of acres mortgaged for stock.	No. of acres not mortgaged for stock.	REMARKS.
Ashley	e half frl	19	15	s	5 w		320	Mortg'd by Benj. Hughes to secure moneys borrowed on accommodation note and purchased by trustees under decree of foreclosure.
same	nw frl	19	15		5	.....	160 68	
same	sw	20	15		5	.....	160	
same	w half nw	20	15		5	.....	80	
same	w half	28	15		5	.....	320	
same	se	28	15		5	.....	160	
same	w half ne	28	15		5	.....	80	
same	section	22	15		5	.....	640	
same	w half nw	33	15		5	.....	80	
same	w half sw	33	15		5	.....	80	
same	e half se	21	15		4	80		Mortgaged by J. B. Dabney to secure 72 shares of stock, and purchased by trustees under decree of foreclosure.
same	w frl se frl	22	15		4	67 93	.....	
same	sw frl	22	15		4	157 48	.....	
same	e frl half ne frl	27	15		4	54 89		Entered with swamp land scrip.
Arkansas	nw	19	2		5	.....	175 83	
same	n half	19	2		5	.....	86 10	
same	s half se	18	2		5	.....	80	
same	e half sw	18	2		5	.....	80	
same	s half se	19	2		5	.....	80	
same	s half sw	20	2		5	.....	8	
same	sw se	20	2		5	.....	40	
same	e half	30	2		5	.....	320	
same	e half sw	30	2		5	.....	80	
same	w half	29	2		5	.....	320	

same	w half e half	29	2	5	160	same
same	w half nw	31	2	5	88 01	same
same	ne	31	2	5	160	same
same	nw	32	2	5	160	same
same	w half ne	32	2	5	80	same
same	e half	22	2	5	320	same
same	e half sw	22	2	5	80	same
same	sw	23	2	5	160	same
same	w half se	23	2	5	80	same
same	n half ne	26	2	5	80	same
same	nw	26	2	5	160	same
same	w half sw	26	2	5	80	same
same	s half n half	34	2	5	160	same
same	ne	27	2	5	160	same
Chicot	w frl half	17	13	1	320	} Part of lands mortgaged for stock by Peter Hanger, purchased by trustees under foreclosure.
same	w half sw	8	13	1	80	
same	sw frl	23	19	1	57 49	} Part of lands mortgaged for stock by Wm. Cummins, purchased by trustees under foreclosure.
same	s half frl	21	14	1	320	
same	se frl	13	15	1	49 08	} Part of land mortgaged for stock by B. L. Miles, purchased by trustees under foreclosure.
same	w frl half	36	15	1	280 04	
same	ne	35	15	1	160	} Mortgaged by William and James F. Taylor to secure 183 shares of stock, and purchased by trustees under decree of foreclosure.
same	e half nw	35	15	1	80	
same	e half se	35	15	1	80	
same	s half se	26	15	1	80	
Crawford	se	7	8	n 30	160	
same	s half ne	7	8	30	80	} Part of lands mortgaged by John Henry for stock in the western branch, and received by trustees in payment of his debts.
same	w half nw	17	8	30	80	
same	ne	18	8	30	160	} Received by trustees from E. Cunningham, in payment of his debt.
same	sw frl	24	8	31	138 40	
same	ne	23	8	31	160 00	} Part of lands mortgaged for stock in western branch by Samuel Campbell, and purchased by trustees under execution.
same	nw	24	8	31	160 00	
same	w half sw	9	8	31	80	} Conveyed to trustees by A. Pike, as trustee, in payment of part of John Drennen's debt.
same	ne se	8	8	31	40	
same	se frl	18	9	30	70 36	} Purchased by trustees under execution as property of R. L. Gibson and Whorton Rector
same	ne ne	12	9	31	40	
same	se se	12	9	31	40	

No. 8—CONTINUED.

In what county situate.	$\frac{1}{4}$, $\frac{1}{2}$ or part of $\frac{1}{4}$ section.	$\frac{1}{4}$ or $\frac{1}{2}$ of section.	Section.	Township.	Range.	No. of acres mortgaged for stock.	No. of acres not mortgaged for stock.	REMARKS.
Crawford.....	e half sw	32	9 n	31 w	80			Part of lands mortgaged for stock in western branch by Whorton Rector, and purchased under execution by trustees.
same	sw	33	9	31	160	.....	.....	
same	e half ne	31	9	31	80	.....	.....	
same	sw ne	31	9	31	40	.....	.....	
same	Lot 5, block 2, Van Buren.							From John Drennen in part payment of debt.
same	Lot 3, block 8, Van Buren.							From Pickett and Gregg in part payment of debt.
Clark	e half w half	21	8 s	21	160			Part of lands mortgaged for stock by A. H. Rutherford, and purchased by trustees under decree of foreclosure.
same	ne se	20	8	21	40	.....	.....	
same	se ne	20	8	21	40	.....	.....	
same	se	31	8	21	160	.....	.....	
same	ne sw	31	8	21	40			Mortgaged by John N. Linton to secure 40 shares of stock, and purchased by trustees under decree of foreclosure.
same	nw frl	5	9	21	156 25	.....	.....	
same	sw	17	8	19	160	.....	.....	
same	se	18	8	19	160	.....	.....	
same	e half	19	8	19	320			Mortgaged by Simeon Buckner as transferee of Daniel Morrison, to secure 300 shares of stock, and purchased by trustees under decree of foreclosure.
same	sw	19	8	19	160	.....	.....	
same	e half nw	19	8	19	80	.....	.....	
same	w half	20	8	19	320	.....	.....	
same	w half ne	10	9	21	80			Part of land mortgaged for stock by R. F. Sullivan, and purchased by trustees under decree of foreclosure.
same	se se	6	8	22	40	.....	.....	
same	w half se	6	8	22	80	.....	.....	
same	nw ne	7	8	22	40	.....	.....	
same	e half ne	19	8	22	80			Mortgaged by James Williams to secure 21 shares of stock, and purchased by trustees under execution.

same		w half sw	33	8	22		80	}	Purchased by trustees under execution as the property of A. E. Thornton.	
same	.....	se sw	33	8	22	.....	40			
same		w half se	33	8	22		80	}	Conveyed to trustees by A. E. Thornton in payment of his debt.	
same	.....	n half se	11	9	22	.....	80			
same	.....	ne ne	14	9	22	.....	40			
same	.....	e half nw	5	9	22	.....	75			
same		frl ne	6	9	21	157 44		}	Mortgaged by A. E. Thornton to secure 70 shares of stock and purchased by trustees under execution.	
same	.....	se	3	9	22	160	.....			
same	.....	w half ne	10	9	22	80	.....			
same	.....	ne ne	10	9	22	40	.....			
same		s half se	11	9	22	80		}	Purchased under execution as the property of A. E. Thornton.	
same	.....	nw	4	9	22	.....	160			
same	.....	nw ne	36	8	23	40	.....			
same	.....	ne ne	36	8	23	40	.....			
same		se	25	8	23	160		}	Part of lands mortgaged for stock by John Wilson and purchased by trustees under decree of foreclosure.	
same	.....	w half ne	25	8	23	80	.....			
same	.....	ne sw	25	8	23	40	.....			
same	.....	part of se sw	25	8	23	16	.....			
same		nenw	25	8	23	40		}	Part of lands mortgaged for stock by Finley and Oakley, and purchased by trustees under decree of foreclosure.	
same	.....	nw	10	9	22	160	.....			
same	.....	sw	3	9	22	160	.....			
same	.....	sw	5	9	22	.....	160			
Columbia		nw	2	15	20		}	297 42	}	Part of lands conveyed to trustees by John T. Jones in payment of his debt.
same	.....	ne	3	15	20	.....				
Crittenden		on island	ne frl	13	9	n 8 e		}	}	Mortgaged by W. Lewis to secure 50 shares of stock in the western branch and purchased by trustees under decree of foreclosure.
same	.....	" " s hlf sw frl	12	9	8	.....	114 28			
same	.....	" " s part se frl	11	9	8	.....	.....			
same	.....	n frl half frl	7	9	9	.....	151 77			
same		e half sw	6	9	9		93 69	}	}	Mortgaged by Wm. Hagins to secure 300 shares of stock and purchased by trustees under decree of foreclosure.
same	.....	se frl	9	9	9	.....	487 43			
same	.....	frational section	28	3	6	.....	320			
same	.....	n half	29	3	6	.....	80			
same		e half se	26	3	6		80	}	}	
same	.....	w half sw	29	3	6	.....	80			
same	.....	e half se	30	3	6	.....	80			
same		nw nw	32	3	6		40	}	}	
same	.....					.....				
same	.....					.....				

No. 8—CONTINUED.

In what county situate.	$\frac{1}{4}$, $\frac{1}{2}$ or part of $\frac{1}{4}$ section.	$\frac{1}{4}$ or $\frac{1}{2}$ of sec.	Section.	Township.	Range.	No. of acres mortgaged for stock.	No. of acres not mortgaged for stock.	REMARKS.
Crittenden	w half ne	9	3	n	6e	80		Mortgaged by Isaac Bledsoe to secure 300 shares of stock and purchased by trustees under decree of foreclosure.
same	sw	9	3		6	160	.....	
same	e half se	8	3		6	80	.....	
same	nw se	8	3		6	40	.....	
same	n half sw	8	3		6	80	.....	
same	nw nw	9	3		6	40	.....	
same	nw frl	14	3		6	155 87	.....	
same	sw	3	3		6	160	.....	
same	se	4	3		6	160	.....	
same	nw nw	30	7		8	131 61		Mortgaged by Charles W. Blackmore to secure 65 shares of stock and purchased by trustees under decree of foreclosure.
same	e half nw	30	7		8		.....	
same	sw frl	28	7		8	59 29	.....	
same	sw se frl	19	7		8	40	.....	
same	und. half sw frl	19	7		8	92 10	.....	
same	fractional	19	8		9	252 05		Mortgaged by Wm. D. Ferguson to secure 300 shares of stock and purchased by trustees under decree of foreclosure.
same	fractional	20	8		9	4 86	.....	
same	sw frl	29	8		9	57 60	.....	
same	se	30	8		9	160	.....	
same	ne	31	8		9	160	.....	
same	nw frl	32	8		9	109 23	.....	
same	s half	22	7		9	320	.....	
same	w half	15	6		6	320	.....	
same	e half	15	6		6	.....	.....	
same	e half sw	14	6		6	.....	.....	

same	ne 21	6	6		1,069 38	{ Mortgaged by Wm. D. Ferguson, to secure payment of moneys borrowed on accommodation notes and purchased by trustees under decree of foreclosure.
same	se nw 14	3	6	.....		
same	w hf nw 22	6	6	.....		
same	n frl hf 6	5	9	.....		
same	sw frl 21	5	8	.....		
same	se frl 21	5	8		5 70	{ Purchased by trustees under execution, as the property of Wm. D. Ferguson:
same	se frl 24	8	8	.....		
same	s hf 15	4	6		320 00	{ Mortgaged by David Spurlock, to secure 60 shares of stock and purchased by trustees under decree of foreclosure.
same	se 8	8	9	160		
same	s hf 15	8	9	169		{ Mortgaged by H. N. Ferguson, to secure 182 shares of stock, and purchased by trustees under decree of foreclosure.
same	nw frl 29	8	9	30		
same	n hf 30	8	9	320		
same	se 31	8	9	160		
same	s frl hf 32	8	9	160 12		
same	se 7	8	9	160		{ Mortgaged by A. McL. Ferguson, to secure 72 shares of stock, and purchased by trustees under decree of foreclosure.
same	e frl hf 17	8	9	323 60		
same	e hf nw 17	8	9		188 43	{ Mortgaged by A. B. Hubbard, to secure 27 shares of stock, and purchased by trustees under decree of foreclosure.
same	nw 18	7	8	.....		
same	fractional 3	8	9		1,307 00	{ These lands, with 160 acres in Mississippi co., were mortgaged by A. J. Greer, to secure 100 shares of stock in western branch, and were purchased by trustees under decree of foreclosure.
same	sw nw 14	6	6	.....		
same	w hf sw 14	6	6	.....		
same	e hf 15	6	6	.....		
same	ne 21	6	6	.....		
same	w half nw 22	6	6		915 18	{ These lands, with 80 acres in Mississippi co., were mortgaged by E. H. Fletcher, to secure 100 shares of stock in western branch, and were purchased by trustees under decree of foreclosure.
same	sw 3	7	9	.....		
same	se 4	7	9	.....		
same	e hf ne 31	8	8	.....		
same	w hf ne 31	8	8	.....		
same	sw frl 31	8	8	.....		
same	sw nw 32	8	8	.....		
same	e hf ne frl 6	7	8	.....		
same	w hf ne frl 6	7	8	.....		
same	e frl hf nw frl 6	7	8	.....		
same	w hf nw frl 6	7	8	.....		
same	w frl hf sw frl 6	7	8	.....		
same	w hf nw frl 7	6	8	.....		

No. 8—CONTINUED.

In what county situate.	$\frac{1}{4}$, $\frac{1}{2}$ or part of $\frac{1}{4}$ section.	$\frac{1}{4}$ or $\frac{1}{2}$ of section.	Section.	Township.	Range.	No. of acres mortgaged for stock.	No. of acres not mortgaged for stock.	REMARKS.
Crittenden	east fractional half	3	7n	9e	293 63			{ Mortgaged by George Redman, to secure 132 shares of stock, and purchased by trustees under decree of foreclosure.
same	south-west frl	2	7	9	160	.....		
same	north-east	28	7	8	.....	.....		
same	west frl hlf sw	27	7	8	.....	.....		
same	south-west	15	8	8	.....	.....		
same	north half	22	8	8				{ Mortgaged by Thos. M. Collins, to secure 100 shares of stock in western branch, and purchased by trustees under execution, as the property of Kitturah Frazier.
same	north half sw	22	8	8	.....	.....		
same	west half se	22	8	8	.....	.....		
same	north-west	23	8	8	.....	.....		
same	south-east	23	8	8	2,209	.....		
same	south-west	24	8	8	.....	.....		
same	north-west	26	8	8	.....	.....		
same	north half sw	33	8	8	.....	.....		
same	east half se	32	8	8	.....	.....		
same	south half	11	8	8	.....	.....		
same	south-east	9	8	8				{ Purchased by trustees under execution, as the property of Kitturah Frazier.
same part of Spanish grant to B. F. Fooy	.....	.....	.....	.....	.....	.....		
same	south east fraction	9	8	8	.....	44 37		
same	south-west frl	11	8	8	.....	117 74		
same	south east	28	7	8	.....	160		
same	w frl half sw	27	7	8	.....	71 76		
same	e half sw frl	14	7	8	.....	66 16		
same	north-east frl	14	7	8	.....	70 01		
same	north half sw	17	7	8	.....	80		
same	e half ne	20	7	8	.....	80		
same	east half ne frl	25	7	8	.....	34 28		

41	same		n frl part se	30	7	8	80		Mortgaged by F. B. Read, to secure 36 shares of stock, and purchased by trustees under decree of foreclosure.
	same	.....	north-west	36	7	7	160	.....	
	same	.....	east half ne	35	7	7	80	.....	
	same	.....	west half	25	5	7	320	.....	
	same		north-east	25	5	7	160		Mortgaged by John A. Craig, with other lands, and purchased under decree of foreclosure, against Wm, M. McPherson, as assignee.
	same	.....	residuary se	25	5	7	120	.....	
	same	.....	nw nw	26	5	7	40	.....	
	same	.....	lot No. 2 nw frl	30	5	8	134 39	.....	
	same		east half	15	7	8	320		Part of stock lands of James L. Dawson, received by trustees from John Drennen in part payment of Dawson's debt.
	same	.....	west half	11	7	8	320	.....	
	Dallas	.....	west half nw	29	8	15	80	.....	
	same	.....	east half ne	30	8	15	80	.....	
	same	Franklin place	numbers not known				120		Part of lands received by trustees from A. Thornton, in payment of his debt.
	Desha	.....	ne frl	2	11	4	162 12	.....	
	Drw	.....	se frl se frl	10	14	4	21 38	.....	
	same	.....	south half	13	14	4	320	.....	
	same		west half sw	14	14	4	80		Mortgaged by A. K. Gaines, to secure 300 shares of stock, and received by trustees in payment of debts.
	same	.....	se frl nw frl	15	14	4	130 64	.....	
	same	.....	se frl se frl	15	14	4	112 61	.....	
	same	.....	north-east frl	15	14	4	131 19	.....	
	same	.....	Bartholomew, ne frl	22	14	4	131 10	.....	
	same	w of Bayou	do w half se	22	14	4	80	.....	
	same	do	do ne frl ne frl	22	14	4	18 13	.....	
	same	do	do east half se	22	14	4	80	.....	
	same	do	do e frl part se	23	14	4	45 59	.....	
	same	e of Bayou	do e half sw frl	23	14	4	77 00	.....	
	same	do	do w frl part se frl	23	14	4	103 33	.....	
	same	w of do	do sw frl pt nw frl	23	14	4	41 83	.....	
	same	e of do	do north-west	25	14	4	160	.....	
	same	.....	do south half	25	14	4	320	.....	
	same	.....	do sw frl	26	14	4	95 65	.....	
	same	.....	do s frl part	26	14	4	76 96	.....	
	same	.....	do south-east frl	26	14	4	57 05	.....	
	same	w of Bayou	do w frl pt ne frl	26	14	4	53 38	.....	
	same	.....	do n frl part sw frl	26	14	4	77	.....	
	same	.....	do e hf nw frl	26	14	4	77	.....	

No. 8—CONTINUED.

In what county situate.	$\frac{1}{4}$, $\frac{1}{2}$ or part of $\frac{1}{4}$ section.	$\frac{1}{4}$ or $\frac{1}{2}$ of section.	Section.	Township.	Range.	No. of acres mortgaged for stock.	No of acres not mortgaged for stock.	REMARKS.
Drew e Bayou Bartholomew,	n half se	26	14 s	4 w	63 91			Mortgaged by A. K. Gaines, to secure 300 shares of stock, and received by trustees in payment of debts.
same do	south half ne	26	14	4	55 44	.....		
same do	ne frl part ne frl	26	14	4	41 72	.....		
same	south-west	35	14	4	154	.....		
same	n frl pt se	35	14	4	79 44	.....		
same	w half nw	35	14	4	77 06			Part of A. K. Gaines' land.
same	north-east frl	35	14	4	154 12	.....		
same r bank B. Bartholomew,	part se	35	14	4	37 14			Received by trustees from William H. Gaines, in part payment of debt.
same do resid'y	east half ne frl	35	14	4	77 06	.....		
same	south-east	14	14	4	.....	160		
same	east half sw	14	14	4		80		Part of lands of Benj. Hughes, purchased by trustees under execution, and also under decree.
same	west half nw	17	15	5	.....	80		
same	west half sw	17	15	5	.....	80		
same	east half frl	18	15	5		320		Received by trustees from E. J. Gay, in part payment of W. M. McPherson's debt.
same	south-west	28	14	4	.....	160 00		
Hempstead.....	north-west frl	6	11	22	199 94			734 12-100 acres mortgaged by J. West, to secure 60 shares of stock, and purchased by trustees under execution.
same	south half ne	6	11	22		.....		
same	east half	36	10	23	320	.....		
same	east half sw	36	10	23	80	.....		
same	north half ne	1	11	23	54 18	.....		
same	west half sw	31	10	22	80	.....		
same	north-east nw	15	10	22		40		
same	west half se	19	11	23	.....	40		
same	east half	7	11	22	.....	320		
same	west half	7	11	22	301 88			Purchased by trustees under execution, as the property of William

same	.....	north-east fri	211	21	{ 179 10	.....	Clark. 650 34 acres mortgaged by Clark to secure 80 shares of stock.
same	.....	north-east se	211	21		.....	
same	.....	west half sw	1911	23	89 36	.....	
same	.....	east half se	2511	23	80 00	.....	
same	.....	north half	211	25	.....	196 65	Purchased by trustees under execution as the property of James Gibson.
same	.....	east half ne	2610	29	.....	80	
same	.....	south half	611	24	.....	.....	
same	.....	west half ne	711	24	{	.....	
same	.....	east half nw	711	24	512 24	.....	Part of lands mortgaged for stock by Finley & Oakley, and purchased by trustees under decree of foreclosure.
same	.....	north-east ne	711	24	{	.....	
same	.....	north-west	1811	24	160	.....	
same	.....	south half	3310	27	320	.....	
same	.....	sw nw	2611	27	.....	40 00	Purchased by trustees under execution, as property of Wm. Johnson.
same	.....	n half nw	2611	27	80	.....	
same	.....	n half ne	2611	27	80	.....	Mortgaged by Wm. Johnson to secure 60 shares of stock, and purchased by trustees under decree of foreclosure.
same	.....	south-west	2311	27	160	.....	
same	.....	se sw	1511	27	40	.....	
same	.....	sw se	1511	27	40	.....	
same	.....	west half	2913	24	320	.....	
same	.....	e half ne	3013	24	80	.....	These two tracts, together with the W $\frac{1}{2}$ of NE $\frac{1}{4}$ of sec. 10, T. 9 S., 21 W., were mortgaged by B. F. Sullivan to secure 40 shares of stock, and were purchased by trustees under decree of foreclosure.
same	.....	south-west	2813	24	.....	160	
same	.....	west half nw	2813	24	.....	80	
same	.....	south-east	2813	24	.....	160	Part of lands received by trustees from John T. Jones in payment of his debt.
same	.....	east half ne	2813	24	.....	80	
same	.....	west half ne	3213	24	.....	80	
same	.....	north-east	1512	27	160	.....	Mortgaged by J. Mattingley to secure 28 shares of stock. Purchased by trustees under decree of foreclosure.
same	.....	east half nw	1510	23	.....	80	
same	.....	west half ne	1510	23	.....	80	
same	.....	west half se	1910	24	80	.....	
same	.....	east half sw	1910	24	80	.....	
same	.....	nw sw	1910	24	40	.....	
same	.....	e half se	2010	24	.....	80	Received by trustees from John W. Williams, in payment of his debt. 1089.60 acres of these lands are mortgaged by Williams to secure 222 shares of stock.
same	.....	nw sw	2110	24	40	.....	
same	.....	nw nw	3010	24	40	.....	

No 8—CONTINUED.

In what county situate.	$\frac{1}{4}, \frac{1}{2}$ or part of $\frac{1}{4}$ section.	$\frac{1}{4}$ or $\frac{1}{2}$ of section.	Section.	Township.	Range.	No. of acres mortgaged for stock.	No. of acres not mortgaged for stock.	REMARKS.
Hempstead.....	nw sw	30	10 s	24 w	40			Received by trustees from John W. Williams in payment of his debt. 1089.69 acres of these lands, and mortgaged by Williams to secure 222 shares of stock.
same	n half se	30	10	24	80	.....	.....	
same	north-east	30	10	24	160	.....	.....	
same	sw ne	31	10	24	40	.....	.....	
same	nw	32	10	24	160	.....	.....	
same	pt of w half w half	29	10	24	23	.....	.....	
same	w half nw	27	13	26	80	.....	.....	
same	ne	28	13	26	147	.....	.....	
same	e half ne	8	13	26	.....	80	.....	
same	north half	9	13	26	.....	320	.....	
same	w hlf sw	10	13	26		80		Received from Edward Cross in payment of balance of his debt, by order of chancery court of Pulaski county.
same	e half sw	28	10	24	.....	80	.....	
same	nw se	28	10	24	.....	40	.....	
same	e half ne	12	10	24	.....	80	.....	
same	e half sw	13	10	24	.....	80	.....	
same	se	13	10	24	.....	160	.....	
same	se	12	10	24	.....	160	.....	
Hot Spring.....	sw frl	8	6	18	185 68	.....	.....	
same	se frl	12	6	19	163 85	.....	.....	
same	n frl half	13	6	19	278 57			Part of lands mortgaged for stock by Finley & Oakley, and purchased by trustees under decree of foreclosure.
same	n frl half	14	6	19	170 55	.....	.....	
same	sw frl	14	6	19	116 71			Received from A. W. Lyon, for transfer of judgment against Andrew Scott, by order of chancery court.
Jackson.....	w frl hlf se frl	27	12 n	3	.....	61 35	.....	
Independence.....	south half	33	13	5		320		Rec'd by trustees from Chas. B. Magruder, in payment of his debts.
Johnson	se	8	9	22		160		Rec'd by trustees from Sam. Adams, in payment of his debt.

Jefferson	e half	34	3	s	8	.....	480	{ Part of lands received of John S. Roane, by trustees, in exchange for stock lands of James Scull.
same	south-west	34	3		8	.....		
same	se	19	5		9	.....		
same	west half	29	5		9	.....		
same	north-east	29	5		9	{ 639 20		Mortgaged by Wood Tucker to secure 50 shares of stock, and purchased by trustees under decree of foreclosure.
same	east half	30	5		9	.....		
Lafayette	west half	8	19		25	320		
same	west half east half	8	19		25	160		
same	east half	9	19		25	320		
same	south-west	9	19		25	160		
same	east half nw	9	19		25	80		
same	north-west	2	19		26	{ 246 71		Mortgaged by Pickett & Williamson to secure 250 shares of stock and purchased by trustees under decree of foreclosure.
same	west half ne	2	19		26			
same	n half	3	19		26	328 72		
same	west half	35	18		26	{ 469 76		
same	west half east half	35	18		26			
same	fractional	34	18		26	524		
same	south-west	18	19		25	160		{ Part of lands mortgaged for stock by James Crabtree, and purchased by trustees under decree of foreclosure.
same	south-east	5	19		25	80		
same	south half	6	19		25	160		
same und. half	west fractional half	7	19		25	164 20		Purchased by trustees under decree of foreclosure of mortgage, as the property of Rufus A. Nott.
same	south half	1	19		26	160		
same	south-east	2	19		26	80		
same	east half	11	19		26	160		
same	section	12	19		26	320		
Monroe	south frl half	20	1		2	{ 410 62		
same	nw fractional	20	1		2			
same	private survey No. 2,394.....	1	2			640		
same	north-east	21	1		2	160		
same	south-west	23	1		2	160		
same	north-west	28	1		2	160		
same	west half	19	1	n	2	331		Mortgaged by Wm. B. Duncan to secure 234 shares of stock, and purchased by trustees under decree of foreclosure. Suit pending in supreme court as to title of the bank.
same	north-east	11	1		3	160		
same	north-west	12	1		3	160		
same	und. half sw	13	1		3	80		
same	north-west	14	1		3	160		

No. 8—CONTINUED.

In what county situate.	1/4, 1/2 or part of 1/4 section.	1/4 or 1/2 of section. Section.	Township.	Range.	No. of acres mort- gaged for stock.	No. of acres not mortgag d for stock.	REMARKS.
Monroe		se frl 14	1 n	3 w	146 53		Mortgaged by Wm. B. Duncan to secure 234 shares of stock, and purchased by trustees under decree of foreclosure. Suit pending in supreme court as to title of the bank.
same		e half 24	1	3	320	.....	
same		sw 24	1	3	160	.....	
same	und. half nw	24	1	3	80	.....	
same	e half nw	25	1	3	80	.....	
same		nw 23	1 s	1 e		160	Part of lands received by trustees from Wm. E. Butts, in payment of his debts.
same		se 3	3	1 w	160		Mortgaged by A. B. White to secure 30 shares of stock, and purchased by trustees under decree of foreclosure.
same	s half ne	3	3	1	80	.....	
Mississippi		nw 24	10 n	9 e	160		Part of lands mortgaged for stock by A. J. Greer, and purchased by trustees under decree of foreclosure.
same		sw frl 19	10	10	74 44		Part of lands mortgaged for stock by Wiley Lewis, and purchased by trustees under decree of foreclosure.
same		se 14	14	11		160	Conveyed to Noland, as receiver, by E. H. Fletcher in payment of his debts.
same		e half 23	14	11	.....	320	
same	fractional	24	14	11	.....	553 07	
same	e half nw	25	14	11	.....	80	
same	e half	26	14	11	.....	320	
same		n half nw	29	10	80		Purchased by trustees, with other lands, under decree of foreclosure of W. D. Dabney's stock mortgage.
same		section 7	14	11		679 39	Taken by Peay, receiver, in part payment of debt of C. W. Campbell, by order of chancery court of Pulaski county.
same		sw 17	14	11	.....	160	
same	s half	18	14	11	.....	334 49	
same	section	19	14	11	.....	661 73	
same	section	3	14	10	.....	645 92	
same		section 9	14	10		640	

same	section 10	14	10 e	640	Taken by Peay, receiver, in part payment of debts of Charles W. Campbell; by order of chancery court of Pulaski county.
same	s half	13 14	10	320	
same	section 14	14	10	640	
same	section 17	14	10	640	
same	section 24	14	10	640	
Ouachita	ne	26 15	s 19 w	160	Part of lands conveyed to trustees by John T. Jones in payment of his debt.
Pike	se sw	22 8	23	40	
same	e half sw	23 8	23	80	Mortgaged by John Wilson to secure 127 shares of stock, and purchased by trustees under decree of foreclosure.
same	nw nw	25 8	23	40	
same	e half ne	26 8	23	80	
same	nw ne	26 8	23	40	
same	e half nw	26 8	23	80	
same	nw	27 8	23	160	Part of lands conveyed to trustees by A. E. Thornton, in payment of his debts.
same	e half se	33 8	23	80	
Prairie	e half sw	23 2	6	80	Entered by receiver with swamp land scrip.
same	sw sw	23 2	6	40	
same	nw	26 2	6	160	
same	sw nw	25 2	6	40	
same	se se	25 2	6	40	
same	ne ne	36 2	6	40	
Poinsett	nw fractional	1 8	n 3 e	170 58	Part of land mortgaged for stock by Wm. Strong, and purchased by trustees under decree of foreclosure.
Pulaski	e half se	9 1	10 w	80	
same	s half	10 1	10	320	Part of lands mortgaged for stock by R. D. C. Collins, as transferee of Chester Ashley, and purchased by trustees under decree of foreclosure.
same In the bend	sw	11 1	10	126 10	
same of Benr	w half nw	14 1	10	74 27	
same Skin Lake.	ne nw	14 1	10	35 41	
same	n half	15 1	10	320	
same	se	33 1	10	160	Mortgaged by John W. Johnston, as transferee of E. A. More, to secure 90 shares of stock, and purchased by trustees under decree of foreclosure.
same	se	33 1	12	160	
same	nw	34 1	12	160	
same	s frl half frl sec.	19 2	s 10	188 99	
same	n frl half frl sec.	30 2	10	209 45	
same	w frl half frl sec.	36 2	11	313 61	

No. 8—CONTINUED.

In what county situate.	$\frac{1}{4}$, $\frac{1}{2}$ or part of $\frac{1}{4}$ section.	$\frac{1}{4}$ or $\frac{1}{2}$ of section.	Section.	Township.	Range.	No. of acres mortgaged for stock.	No. of acres not mortgaged for stock.	REMARKS.
Pulaski	e half ne	14	2	n 11 w	11	80		Mortgaged by John Hutt, as transferee of E. A. More, to secure 12 shares of stock, and purchased by trustees under decree of foreclosure. Part of lands mortgaged for stock by Wm. Cummins, and purchased by trustees under decree of foreclosure.
same	nw ne	14	2	11	11	40	.....	
same	ne nw	14	2	11	11	40	.....	
same	n frl half	33	2	12	12	172 67	.....	
same	sw frl	28	2	12	12		.....	
same	s half nw	12	1	12	12	80		Mortgaged by Richard C. Byrd, to secure 200 shares of stock, and purchased by trustees under decree of foreclosure.
same	ne nw	12	1	12	12	40	.....	
same	sw ne	12	1	12	12	40	.....	
same	ne sw	12	1	12	12	40	.....	
same Lots 4 and 5 of 1,000 acre grant	in	1	1	12	12	112 92	.....	
same	w half nw	17	1	12	12	80		Mortgaged by Jas. De Baun to secure 97 shares of stock, and purchased by trustees under decree of foreclosure.
same	e half	18	1	12	12	320	.....	
same	w half w half	18	1	12	12	160	.....	
same	ne sw	18	1	12	12	40	.....	
same	sw nw	19	1	12	12	43 28	.....	
same	ne	19	1	12	12	160		Part of lands received by trustees in pay't of debt of Wm. Field.
same	n half sw	13	1	13	13	80	.....	
same	se	13	1	13	13	160	.....	
same	e half ne	24	1	13	13	80	.....	
same	frl	6	2	13	13	.....	51	
same	s half se	31	3	13	13		80	Part of lands mortgaged for stock by J. C. Anthony, and purchased by trustees under decree of foreclosure.
same	e half sw	32	3	13	13	.....	80	
same	w half ne	32	3	13	13	.....	80	
same	nw sw	32	3	13	13	.....	40	
same	sw frl	18	2	12	12	209 15	.....	
same	n frl half	19	2	12	12		.....	

same	lots 2, 3, 4, 5 and 6 in	Block	No. 8,			Banking house property.
same	east Quapaw line, in	Little	Rock			
Phillips	Part of Spanish survey					Mortgaged by Wm. B. McKiel to secure 90 shares of stock, and purchased by trustees under decree of foreclosure.
same	No. 2,411, in	1 n 4 e	630			
same	n half	4 1 s 4	313 03			
same	se	4 1 4	160			
same	sw	3 1 4	200			Mortgaged for stock by Josiah S. McKiel, and purchased by trustees under decree of foreclosure.
same	sw nw	3 1 4	40			
same	nw	21 1 3	160			
same	nw	27 1 s 4	160			Mortgaged by Allen D. Burriess to secure 24 shares of stock, and purchased by trustees under decree of foreclosure.
same	undivided $\frac{1}{2}$ s $\frac{1}{2}$	33 1 4	160			
same	und. $\frac{1}{2}$ s frl part	4 2 4	114 86			Purchased by trustees under execution as the property of Wm. M. McPherson.
same	und. $\frac{1}{2}$ of e $\frac{1}{2}$ private srv'y No. 24	10 1 4	160			
same	se	5 1 n 3	160			
same	nw	10 2 s 3	160			
same	w half se	8 3 5	80			
same	e half sw	8 3 5	80			Received by trustees from Wm. E. Butts in payment of his debt.
same	nw	8 3 5	160			
same	und. half ne	34 3 4	80			
same	und. half e half sw	34 3 4	40			
same	s half	5 1 3	320			
same	nw fractional	5 1 3	134 40			Mrt'd by Jno. L. Gervais to secure 38 shares of stock, and purchased by trustees under execution as the property of Lewis L. Poe.
same	nw	27 1 3	160			
same	se sw	33 1 5	40			
same	nw sw	33 1 5	40			
same	sw fractional	34 1 5	55 91			
same	e f.l part nw frl	34 1 5	46 69			Part of these lands were purchased by trustees under execution, and the residue conveyed by Wm. H. Bostick & wife in payment of debt of B. F. Odle.
same	w half nw	34 1 5	80			
same	sw	2 2 3	160			
same	se part e half	3 2 3	45			
same	ne	10 2 3	160			
same	w half ne	21 2 4	80			
same	se	1 2 3	160			
same	sw	32 1 4	160			Mortgaged by Geo. W. Wilcox to secure 26 shares of stock, and purchased by trustees under execution as property of Wm. Keller.

No. 8—CONTINUED.

In what county situate.		$\frac{1}{4}$, $\frac{1}{2}$ or part of $\frac{1}{4}$ section.	$\frac{1}{4}$ or $\frac{1}{2}$ of sec.	Section.	Township.	Range.	No. of acres mortgaged for stock.	No. of acres not mortgaged for stock.	REMARKS.
Phillips	Part of priv.	sur. pat. to W. H. Glass			2s	5 e	147 66		Part of lands mortgaged for stock by F. Hanks, and purchased by trustees under decree of foreclosure.
same	.....	private survey No. 496.			2s	4&5e	320	.....	
same	und. half	do do 491.					320	.....	
same		do do 2364.					106 50	.....	
same	.....	priv. sur. to Jno. Moore				60 40	.....		
same	.....	sw 30		2 s	5	147 94	.....		
same	.....	w half se 30		2	5		.....		
same	.....	w frl half ne 30		2	5		.....		
same	.....	w half ne 21		2	4	80	Received by trustees from Henry L. Biscoe in payment of his debt.		
same	.....	ne ne 21		2	4	40			
same	.....	nw 11		2	4	160			
same	.....	w half sw 21		2	4	80			
same	.....	Lots 7 and 8, block 2.		in	Helena.				
same	.....	" 11, 12 & 13, block 4.							
same	.....	" 16, 17 & 18, blo'k 1, &							
same	.....	1 acre of ground.							
same	.....	Part of lot 77, Helena.							
same	Lots 23, 56, 57 & 58, Old Helena.								
Sevier		sw 5	13	s	32	w		160	Received by trustees from Henry K. Brown in payment of his debt.
same	.....	se 8	13		32		.....	160	
same	.....	e half sw 8	13		32		.....	80	
same	.....	w half sw 9	13		32		.....	80	
same	.....	ne 33	13		32		.....	160	
same		e half sw 1	13		33		80		Mortgaged by Robert Hamilton to secure 95 shares of stock, and purchased by trustees under decree of foreclosure.
same	.....	e half nw 12	13		33		80	.....	
same	.....	whalf ne 12	13		33		80	.....	

same	e half nw	17 11	29 w	80		Part of land mortgaged for stock by Finley & Oakley, and purchased by trustees under decree of foreclosure.
same	w hlf ne	17 11	29	80		
same	e hlf nw	1 13	33		80	
same	ne	1 13	33		160	Conveyed to trustees by Wm. Wright in payment of B. H. G. Hartfield's debt.
same	w frl half nw	6 13	32		105 52	
same	w frl hlf sw	5 13	32		104 54	
same	se	1 13	33	160		These two tracts mortgaged for stock by B. H. G. Hartfield.
same	e half ne	12 13	33	80		
Sebastian	e half	32 8 n	31	320		
same	sw	32 8	31	160		
same	sw	33 8	31	160		
same	ne	31 8	31	160		
same	se	26 8	32	160		
same	section	35 8	32	640		Mort'd by Wharton Rector to secure 100 shares of stock in western branch, and purchased by trustees under execution.
same	nw	26 8	32	160		
same	e hlf ne	26 8	32	80		
same	n hlf	25 8	32	320		
same	w hlf ne	24 8	32	80		
same	se	24 8	32	160		
same	w hlf se	13 8	32	80		
same	se	20 8	30	160		
same	sw	21 8	30	160		Part of lands mortgaged by Pickett & Gregg for stock in western branch, and conveyed by them to trustees in payment of debt.
same	ne frl	21 8	30	136 95		
same	nw	31 8	31	138 10		
Scott	nw se	2 6	26		40	Conveyed to trustees in payment of debt.
same	Lot No. 7	2 6	26		40	
Union	e hlf	25 16 s	18		320	Part of lands conveyed to trustees by John T. Jones in payment of his debt.
same	ne	35 16	18		160	
same	n half	36 16	18		320	
Washington	ne	21 16 n	32	160		Lands mortgaged by Lewis Evans for stock in western branch, and conveyed to trustees by W. L. Wedington & wife.
same	se	26 14	32	150		
same	e half sw	26 14	33	80		Mortgaged by John Douglass to secure 29 shares of stock, and purchased by trustees under decree of foreclosure.
St. Francis	nw frl	7 3	4 e	166 80		
same	part of n hlf sw frl	7 3	4	73 20		
same	se	6 3	4	160		Mortgaged by J. J. Thomson to secure 62 shares of stock, and purchased by trustees under decree of foreclosure.
same	e hlf ne	6 3	4	80		
same	s part sw frl	7 3	4	115 44		

No. 8--CONCLUDED.

In what county situate.	$\frac{1}{4}$, $\frac{1}{2}$ or part of $\frac{1}{4}$ section.	$\frac{1}{4}$ or $\frac{1}{2}$ of section. Section.	Township.	Range.	No. of acres mort- gaged for stock.	No. of acres not mortgaged for stock.	REMARKS.
St. Francis.....		ne 4	4 n	4e		24 82	Purchased by trustees under execution as the property of G. B. Myrick.
same		se 28	4	4		160	} Mortgaged by Wm. H. Patterson to secure payment of debt, and purchased by trustees under decree of foreclosure.
same Pt of priv. sur. being 160 acres		in 4	4	4	.....	160	
same known as "Burnt" store landing.							
same	part n half	se 33	5	3	70 50		} Mortgaged by Wm. Mickie to secure 7 shares of stock, and pur- chased by trustees under decree of foreclosure.
same	n half	33	5	3	320	.....	
same	n half sw	24	5	3	80	.....	
same		nw 19	5	4	160		} Mortgaged by Z. Downs to secure 6 shares of stock, and pur- chased by trustees under decree of foreclosure.
same		sw 19	5	4	160	.....	
same		nw sw 18	5	4	40	.....	
same	w hlf sw	18	5	4	} 214 57		} Mortgaged by Houston & Harris to secure 12 shares of stock, and purchased by trustees under decree of foreclosure.
same	se nw	18	5	4		.....	
same	w frl hlf ne frl	18	5	4		.....	
same	w hlf se	7	5	4			} Mortgaged by Wm. Harrison to secure 16 shares of stock, and purchased by trustees under decree of foreclosure.
same	nw frl	30	3	4	157 03	.....	
same	ne frl	17	6	4	8 73	.....	
same	sw frl	9	6	4	48 11		} Mortgaged by Eli Noble to secure 20 shares of stock, and pur- chased by trustees under decree of foreclosure.
same Part of Spanish survey No. 2,374			6	4	385 58	.....	
same	se frl	17	6	4	158 53	.....	
same	e half	20	6	4	320		} Part of lands mortgaged for stock by Wm. Strong, and purchased by trustees under decree of foreclosure.
same	e half sw	20	6	4	80	.....	
same	ne	30	6	4	160	.....	

same	sw frl se frl 29	6	4	.....	.....	
same	sw frl ne frl 29	6	4	133 52	.....	
same	s part sw frl 28	6	4	19 66	.....	
same	e hlf w hf frl 29	6	4	57 27	.....	
same	nw 27	6	4	160	.....	
same	nw 23	6	3	160	.....	Mortgaged by Thos. Casbeer, to secure 25 shares of stock, and purchased by trustees under decree of foreclosure.
same	east half of Spanish } survey No. 500	6	4	.....	320	Purchased by trustees under decree as the property of Thos. J. Curl.
same (west of St. Francis riv.)	w frl hf 29	6	4	185 78	.....	Mortgaged by Burris and Dobson, to secure 24 shares of stock.

Total number of acres mortgaged for stock..... 50,381 26

Total number of acres not mortgaged for stock 28,625 98

Total acres unsold..... 79,007 24

Banking house and 5 lots in the city of Little Rock.

2 lots in the town of Van Buren.

13 lots in the town of Helena.

NOTE.—The foregoing list of lands embraces some of the best selections in the State of Arkansas, especially that portion of them which were mortgaged for stock. The interest of the bank in the stock lands consists of the right to possession and the equity of redemption under the original stock mortgages. Since the report of the 1st October, 1856, the receiver has sold this interest in 15,630 96-100 acres of stock lands held by the bank, at an average of twenty dollars per acre, payable in state bonds; and in effecting sales of such interest, and fixing the value of the same, the stock mortgage is taken into consideration, so that a purchaser can obtain titles to such lands at a fair price, by complying with the provisions of the 8th and 9th sections of the act of the General Assembly of Arkansas, entitled "an act to amend an act establishing a separate court of chancery at the seat of government," etc., passed and approved 13th January, which section provides as follows:

"Sec. 8. Any person, who may have given any stock mortgages to the Real Estate Bank of the State of Arkansas, or the representatives of any such person, may provide a fund for the redemption of the lands embraced in the mortgage by depositing with the state treasurer any bonds or coupons that were issued by the state to the bank, and that were sold by the bank; and when such bonds and coupons shall have become payable, and a sufficient amount thereof, with the interest accrued, shall have been deposited to pay the amount of stock and accrued interest, for which the lands were mortgaged, such depositor or his representatives, shall be entitled to have the mortgage canceled, and to hold, and to have right to the lands, free from any incumbrance on account of such mortgage, and such depositor or his representatives may apply to the court of chancery, having jurisdiction of the matter, for confirmation of his title."

"Sec. 9. The deposit with the treasurer, of the bonds, as provided for in the preceding section, shall not be taken as a payment into the treasury of the state, and shall not work a cancellation or satisfaction of the bonds, but the treasurer shall hold them as a trustee for the depositor, for the state, and for all parties concerned, and such bonds shall draw interest as other outstanding unredeemed bonds, till final settlement of the stock debt, and satisfaction of the stock mortgage, as provided for in the foregoing section. And in such settlement, if there be any excess of bonds and interest over the stock debt and interest, the depositor shall have such excess refunded to him. And on deposit of bonds and coupons, as provided for, the treasurer shall give to the depositor three certificates, describing the bonds and coupons deposited, by whom, and against what lands deposited; of which certificates, one shall remain on file in the auditor's office, one with the receiver of the assets of the Real Estate Bank, and one shall be retained by the depositor; and for receiving each deposit and giving certificates thereof, the treasurer shall receive three dollars, to be paid by the depositor," etc.

October 1, 1858.

GORDON N. PEAY,
Receiver R. E. Bank.

No. 9.

STATEMENT—Of account of bonds issued by the State of Arkansas to the Real Estate Bnnk.

Principal of bonds outstanding 1st of October, 1856, as per report of that date, including the amount received on the hypothecation of 500 bonds to the North American Trust and Banking Company.....	1,282,389 77
Interest on said principal due and unpaid 1st October, 1856, as per report.....	1,105,913 73
Interest on said principal from the 1st October 1856, to 1st October, 1858	153,886 78
Principal and interest to 1st October, 1858	\$2,542,190 28

AMOUNTS REDEEMED, CANCELED AND DEPOSITED IN STATE TREASURY.

	Time, 1st October, 1856.	Coupons and interest.	Principal.
Jan. 1, 1857.	47 bonds deposited this date.....	.....	47,000 00
same	1,416 coupons due, deposited this date	42,480 00	
	Interest on 47 bonds from date of deposit to 1st October, 1858 :..	4,925 00	
April 1, 1857	55 bonds deposited this date.....	.....	55,000 00
same	1,088 coupons due to 1st January, 1857, deposited this date	32,550 00	
	Interest accrued on 55 bonds from 1st January, 1857, to 1st October, 1858	5,775 00	
June 1, 1857.	28 bonds deposited this date.....	.....	28,000 00
same	840 coupons due to 1st January, 1857	25,200 00	
	Interest accrued on 23 bonds from 1st January, 1857, to 1st October, 1858	2,940 00	
July 1, 1857.	16 bonds deposited this date .....	.....	16,000 00
same	120 coupons due to this date, deposited	3,600 00	
	Interest accrued on 16 bonds from 1st January, 1857, to 1st October, 1858	1,200 00	
Nov. 1, 1857.	24 bonds deposited this date .....	.....	24,000 00
same	372 coupons due to 1st July, 1857, deposited this date.....	11,160 00	
	Interest accrued on 24 bonds from 1st July, 1857, to 1st October, 1858	1,800 00	
Jan. 1, 1858.	17 bonds deposited this date .....	.....	17,000 00
same	223 coupons due to this date, deposited	6,840 00	
	Interest on 17 bonds from this date to 1st October, 1858	765 00	
June 1, 1858.	15 bonds deposited this date .....	.....	15,000 00
same	1,038 coupons due to 1st January, 1858, deposited this date	31,140 00	
	Interest accrued on 45 bonds from 1st January, 1858, to 1st October, 1858	675 00	

No. 9--Concluded.

	Time, 1st October, 1856.	Coupons and interest.	Principal.	
Sept. 30, '58.	Amount brought forward....	.....	.....	\$2,542,190 28
	12 bonds deposited this date ....	.....	12,000 00	
	406 coupons due to 1st July, 1858, deposited this date.....	12,180 00		
	Interest accrued on 12 bonds from 1st July, to 1st October, 1858..	180 00		
		\$183420 00	\$214000 00	
	Total principal and interest.....	.....	.....	397,420 00
Oct. 1, 1856.	Balance of principal and interest outstanding this day .....	.....	.....	\$2,144,770 28
Which balance consists as follows:				
	Principal of bonds hypothecated.....	\$	122,389 77	
	Principal of bonds sold by the bank.....		946,000 00	
	Interest due and unpaid 1st October, 1858.....		1,076,380 51	
				\$2,144,770 28

October 1, 1858.

GORDON N. PEAY, *Receiver*
Real Estate Bank.

No. 10.

**GENERAL STATEMENT—Of the liabilities and assets of the
Real Estate Bank of the State of Arkansas, on the 1st day of
October, A. D. 1858.**

LIABILITIES.			
Balance of principal and interest due on the bonds of the state issued to the Real Estate Bank, as per statement No. 9			\$2,144,770 28
Balance of circulation unredeemed			12,815 00
Balances to credit of individuals, not applied as payments on debts, viz:			
In specie	\$3,001 75		
In bonds	3,934 59		
			6,936 34
Balance of account of expenses unpaid			2,110 90
Estimated amount of taxes on real estate for the current year			3,500 00
Total liabilities			\$2,170,132 52
ASSETS.			
BALANCE OF BILLS RECEIVABLE ACCOUNT, viz:			
Amounts classed as worthless	411,412 11		
Amounts classed as doubtful	83,981 38		
		495,393 49	
AMOUNTS CLASSED AS GOOD, viz:			
Amounts payable in bonds, with interest due thereon to 1st October, 1858	261,879 80		
Amounts payable in gold or silver, with the interest due thereon to 1st October, 1858 ..	78,442 29		
		340,322 09	
Balance of account for rents, payable in gold or silver		6,198 22	
BALANCE OF REAL ESTATE ACCOUNT, viz:			
50,381 26-100 acres of lands which are embraced in stock mortgages, and 28,625 98-100 acres of land not mortgaged for stock, and town lots, as per Statement No. 8, the value of which in bonds is estimated at the sum of		450,000 00	
BALANCE OF STATE BOND ACCOUNT, viz:			
37 bonds of the state issued to the State Bank with coupons and interest due thereon to the 1st day of October, 1858, as per Statement No. 4	74,575 00		
6 bonds, of \$1,000 each, issued by A. Yell, as governor, for moneys loaned to the state by the bank, with interest thereon at the rate of 5 per cent. per annum, from the 1st July, 1843, to the 1st October, 1858	10,725 00		
		85,300 00	
Chicot county scrip	4,400 00		
Uncurrent money	484 12		
Cash on hand, as per Statement No. 3	2,275 47		
		7,159 59	\$1,384,373 39
Balance			\$785,759 13

NOTE.—A large portion of the above item of \$411,412 11, bills and notes, turned over by the trustees to the receiver, and classed as worthless, is composed of debts due the bank for loans to stockholders on stock credit account, and the mortgages of such stockholders have been foreclosed, and their stock lands purchased under the decrees by the trustees; which is all that can be realized from that description of debts. A portion of the debts classed as doubtful, will probably be realized by compromises. The lands, if estimated at the average rate of the sales during the last two years, as exhibited by statement No. 7, would produce almost twice the amount in bonds, of the estimate of their value, stated above, but on account of the conflict in the titles to many of them, their value is estimated at a sum that can certainly be realized for them; which sum, with the amount of debts classed as good, and the other assets above stated, deducted from the amount of liabilities this day, leaves a deficiency of \$1,280,626 96 of assets to meet such liabilities.

October 1, 1858.

GORDON N. PEAY, *Receiver*
Real Estate Bank.

REPORT
OF THE ACCOUNTANTS
OF THE
STATE BANK OF ARKANSAS.

To his Excellency,
ELIAS N. CONWAY, *Governor*
of the State of Arkansas:

SIR—That you might carry into effect the intentions of the legislature, as expressed in the act of January 15, 1857, “to aid in ascertaining and recovering assets of the Bank of the State of Arkansas,” you directed us to make the necessary investigations, and report to you at the earliest day possible.

As soon as might be, we entered on this duty; but a very little time served to show that it was not one easily performed. Mr. John H. Crease, who was more intimately acquainted with the concerns of the bank than any other man living, having been cashier of the principal office during the whole of its business existence, and financial receiver for the first two years after the act of liquidation was passed, was, in the autumn of 1856, requested by you “to examine the books of the State Bank and its branches, with a view to their final adjustment, and for the more immediate purpose of exhibiting to the legislature (at the session to commence on the 3d of November then ensuing,) a statement of the assets to be collected.” He reported to you, under date of October 21st, that he found every thing in confusion, and that the performance of such a duty as had been assigned to him must necessarily be “a work of time.”

A very little investigation confirmed the correctness of this statement. We found the accounts of the bank and its branches, extending through a period of twenty years, scattered through more than a hundred volumes, about eighty of which were folios; in addition to which there was about a cart load of papers, many of which were unassorted and unarranged.

At first glance it might seem that a certain number of clerks might, if due time were allowed them, go through the labor, but further inquiry served to show that even with such aid it would be impossible to bring the accounts into exact book-

keeping order. Voluminous though the records be, they are in many respects defective. After the act of liquidation went into effect, as is stated by Mr. J. M. Ross, no regular books were kept up at the branches. In 1850,—'51, Governor Roane, speaking of some of the officers, said: "The evidence of their incompetence would appear (among other things) from their inability so to keep their books as to exhibit the transactions of the bank." Mr. G. Washington Patrick, who was, in 1848, appointed to examine the bank and its several branches, said that he found "the affairs of the branch at the Post of Arkansas in such a peculiar state, that he was almost deterred from pursuing his examinations any further, the books and papers being kept in such a state that they were not only obscure but wholly inexplicable."

Nor was this all: In one instance, the records were purposely defaced and destroyed. This appears from a letter of October 28, 1841, from Mr. McKissick, cashier of the branch at Fayetteville. In it he says: "Some of the important books of this institution were purloined from the bank about four months ago. A part of these have since been found, but so obliterated and defaced that they are unintelligible, and indeed a number of pages are entirely cut out and the leaves destroyed."

When the act of liquidation was passed (fifteen years ago), the assets consisted chiefly of small notes of hand. The principal and securities of these notes were scattered all the state over. They were divided between the mother bank and its three branches.

Frequent changes were made in the plan of management. For the first two years, the General Assembly elected a financial receiver, an executive receiver, and an attorney, for the principal bank and each branch. In 1845 the office of executive receiver was abolished. In 1849, the office of financial receiver at each branch was dispensed with. In 1851, the office of bank attorney was done away with, and power was given to the financial receiver at Little Rock to employ attorneys as occasion might require.

The frequent changes made in the persons holding the offices of receiver and attorney, increased the difficulty of adjusting the accounts.

When notes were put into an attorney's hand for collection, a list of them was made, for which he gave a receipt. From time to time the receiver would draw lines across the description of such notes as the attorney ceased to be accountable for. But what had become of those notes, whether they had been paid in full, settled by compromise, filed in court, or returned to the receiver, was, so far as the receipt was concerned, left to inference.

To tell precisely what became of the assets of the bank, it

would be necessary to trace each particular note through the hands of each receiver and each attorney to whom it had successively been entrusted. But even this would not be enough. The records of the courts must be searched to know the fate of many of the notes.

Such a search, if a thorough one, would be very laborious. At least we would so judge from the following letter, which W. C. Bevens, esq., late bank attorney at Batesville, addressed, under date of November 2, 1855, to James F. Fagan, esq., who was then the financial receiver at Little Rock:

"Some time has rolled round, and yours of the 12th April is still before me. On the receipt of that letter, I called on the clerk of the Batesville circuit court to make out a report of the proceedings in court on all the notes put in suit by the bank, judgments for and against the bank, the return on the executions, etc., etc. The clerk, at different times, commenced the work, but gave it up. Something near four hundred suits, at different times, have been instituted here; and two hundred dismissed at one time under a rule for bond for costs, and the suits instituted again, either in this court or some of the courts of the adjoining counties. This gave rise to an endless perplexity of pleadings, every effort being to harrass the plaintiff." (That is, the State Bank.)

"Last Monday I came up, intending to stay some week or two and assist. But, upon entering on the duty, I soon found that to do what I had in contemplation would certainly require not less than six months, and would be a very arduous job."

As a preliminary investigation, showing sufficiently the state of the accounts, our efforts were, in conjunction of those of Mr. Wilson, the financial receiver, and Mr. McConaughey, the land attorney and state collector, directed, in the first place, to see what could be saved for the state. Through the measures that have been taken, and that will be taken, something will be realized from assets that would otherwise have been entirely lost, but to what amount cannot now be told.

Mr. McConaughey addressed a circular to the clerks of the circuit courts in the different counties, requesting them to state the exact condition of the suits in which the bank of the state was a party. Some of them have given the desired information; others have not. One of them, the clerk of the Pulaski circuit court, found the investigation so tedious that it took him nearly a year to complete it.

The previous labors of Mr. Crease afforded great aid in adjusting the accounts of the three late financial receivers, John M. Ross, esq., Peter T. Crutchfield, esq., and James F. Fagan, esq. The aggregate of the collections made by these gentlemen from the debtors to the bank was between four and five hundred thousand dollars; but this embraced but a part of

their transactions. Their exchanges of coupons for bonds, and of Real Estate Bank bonds for State Bank bonds, together with their statements of bonds and coupons surrendered to the treasurer, and of bank notes canceled and burned, swelled the total of their accounts to millions. All these had to be carefully examined, as in each of these transactions there was a liability to error. It is a satisfaction to state that none of any moment was discovered.

We also prepared accounts current of the different attorneys: M. W. Dorris, T. N. Byers, W. C. Bevens, Jonas M. Tebbetts, F. A. James, M. L. Bell, and D. W. Carroll, esqs. The returns of the amounts collected by them from different debtors to the bank, many of which Mr. Crease could not find on record, were found on file; thus affording the means of adjusting the accounts both of the attorneys and of the individuals from whom they made their collections.

After all that can be done, the state will be found involved in debt to the amount of a million or more, on account of bonds and coupons issued for the benefit of the Bank of the State; and it is proper that the people should know how the debt has been incurred.

In the years 1835 and 1836 a bank mania pervaded the Union, and the adoption of a state government by Arkansas, appears to have been hastened that an opportunity might thereby be afforded for establishing banks of issue. One article of the constitution was, literally:

“The General Assembly may incorporate one State Bank, with such amount of capital as may be deemed necessary, and such number of branches as may be required for the public convenience, which shall become the repository of the funds belonging to or under the control of the state: and shall be required to loan them out throughout the state, and in each county in proportion to representation. And they shall further have power to incorporate one other banking institution, calculated to aid and promote the great agricultural interests of the country; and the faith and credit of the state may be pledged to raise the funds necessary to carry into operation the two banks herein specified; *Provided*, Such security can be given by the individual stockholders as will guarantee the state against loss or injury.”

On the 12th of September, 1836, the first General Assembly commenced its session at Little Rock, and on the 14th, on the motion of Mr. Ringgold, a resolution was adopted, “that a joint committee, consisting of three on the part of the Senate, to act in conjunction with six on the part of the House of Representatives, be appointed to take into consideration all matters in connection with banking, and report by bill or otherwise.”

Equally prompt was the action in the house. On the same

day, Mr. Caldwell gave notice that he would, on the following day, ask leave to introduce a bill, to be entitled, "An act to establish the State Bank of Arkansas."

On the 15th, the House concurred in the resolution of the Senate. Messrs. Ringgold, Ferguson and McCamy, were appointed members of the committee on the part of the Senate, and Messrs. Davies, Caldwell, Dickinson, Smith, Lasater, and Drennen, on the part of the House.

On the 4th of October, Mr. Ringgold, as chairman of the committee, made a report in which he recommended the establishment of both the Bank of the State and the Real Estate Bank. As the foundation of a policy which involved the state and the people in inextricable embarrassments, this report must be given at length.

"The joint committee to whom was referred the subject of banking, beg leave to submit to the legislature a few brief considerations on the subject of banking, in support of the charters as reported by the committee.

"The committee having estimated the beneficial effects of the desired institutions upon the great interests of agriculture, manufactures and commerce, and, in fact, upon the common prosperity of all classes of the community, urge the policy of passing the charters as reported, being every way conducive to the prosperity of our new state.

"South Carolina, Georgia, and Alabama, have created banks upon their faith and public funds, for the supply of revenue, and success has attended these institutions through a long course of years; and they have realized the great advantages anticipated, and largely contributed to their prosperity. Why not Arkansas, improve her effective means and productive prerogative, for the common benefit and accommodation.

"The privilege of banking is certainly of *infinite value*, and it is doubtless susceptible of vast improvement, as well in regard to revenue as to the convenience of the people. As regards the expediency of the measure, it might be successfully contended, that with the means derived from the general government, by the distribution of the surplus revenue from the several states, the five per centum on the sales of public lands, the funds which will arise from the sales of the seminary lands, and other resources, with a limited portion of the public credit, an amount of income might be derived, *to meet the whole expenditures of government*, in a few years, without resorting to other financial operations, but for such objects of internal improvement as the state might think best or deem necessary.

"The charter of the State Bank pledges the faith of the state for one million dollars: and it has been the policy of other states, to procure means from foreign capitalists; and little doubt remains but the present time is esteemed to be the most

auspicious for such a purpose, as it is believed that the state could borrow any desirable amount of capital at an annual charge of five per centum, if not upon better terms. The capital being loaned at 8 per centum per annum, being three per centum in favor of the state, *added to a banking privilege of issuing three for one on the actual capital so vested*, will produce an accumulation sufficient to redeem the whole in less than twenty years.

“As a correct test of an adequate supply of circulating medium, properly proportionate to the demand of industry and commerce in every civilized society, we may assume it as a principle applicable to all stages of society, that the active capital of a country should bear a fair and reasonable proportion to that which is fixed and permanent; and whenever real estate is converted into active capital at a fair valuation, and money can be obtained readily, at a reasonable rate of interest, on secure mortgages of real estate, that country is making rapid advances in a commercial and agricultural point of view; and, without banking facilities, such cannot be the case. And Arkansas, should we not charter the banks asked for, will be at least twenty-five years behind where she would be, if a liberal policy is extended by the present legislature. The productive classes of the community are the ones engaged in agriculture. Afford them no means by loans secured by mortgages on real estate, and the operations of productive industry are thus impeded, by withholding that capital which would contribute to their prosperity. Such institutions would infuse new vigor into the industry of our state, animate the drooping energies of those who are engaged in the cultivation [of the soil], and open a large field for the profitable employment of the capital of the country.

“The institutions proposed by the committee, if passed into a law, would give a new direction, as well as a new impulse to industry, and prove the means of augmenting the state revenue, by opening and improving lands which would otherwise remain idle for years.

“There is no class who would not be benefited, either directly or indirectly, by the introduction and discrete extension of banking institutions as reported by the committee. All writers on political economy strongly support the position, that, where a scarcity of circulating medium prevails, industry cannot be carried on: for those who have solid property, find it difficult to turn any commodity into money, and all energy and improvement ceases; for want of means to stimulate the man, he is content to live only, not improve.

“There is no view of the subject, as regards the State Bank charter, but what is the result of infinite value to the state. It will; in the first place, control our circulating medium, and give

par value to our scrip in a short time; it will add great facilities to the community at large, and make a safe depository for all the resources of the state, and give us credit abroad; it will yield to the state, when in full operation, *a sum not less than fifty thousand dollars per annum.*

“All these things, properly considered, will, in the opinion of the committee, do away all these idle prejudices so commonly entertained against banking institutions, without any assignable reasons, other than those founded on want of sufficient information as regards their beneficial effects.”

This argumentation, specious as it was in the eyes of its authors, and in the eyes of many of those to whom it was addressed, proceeded throughout on wrong principles.

1st. The authors of the report committed the common error of confounding want of capital with want of currency. The people of Arkansas were then in great want of capital, as they are now, and as they will continue to be till the resources of the state are fully developed: but then, as now, they required but little circulating medium, because then, as now, they had but few things to circulate. If three millions in gold and silver coin had been thrown into circulation among them, it would all, but the small portion necessary for current use, have left the state in exchange for articles the people wanted more than gold and silver. The like result would have followed if three millions in the notes of the best banks in the country had been thrown into circulation among them. Where, owing to the fewness of the commodities to be circulated, the permanent demand for circulating medium is small, the permanent supply will be small also, provided the circulating medium be of *sound* character.

2d. It is desirable that “the active capital of a country should bear a fair proportion to that which is fixed and permanent,” but circulating medium, when it exists in the form of promises to pay, is not circulating capital, but *circulating debt*. Through the agency of banks, *such* circulating medium can be easily created, and to any extent desired. But circulating capital can be created only by industry and economy. It cannot be suddenly spoken into existence by acts of assembly.

3. Real estate becomes “active capital” the moment that it yields an income in the form of either rent or produce. But wild lands which yield no income, are a poor foundation for bank stock. And only the *net* revenue of improved estates can be applied to the payment of debts due to banks, and consequently to the support of their current credits.

4. Even on the supposition that paper money banking is theoretically correct, there is no room for such banks except where the people have money to deposit, or commercial notes of short dates to offer for discount. In order to keep at par the

notes they issue, banks have to redeem the whole amount once in sixty or ninety days, on an average, either by receiving them in payment of notes discounted, or by giving par funds for them. The daily current that flows into a bank must be equal to the daily current that flows out, in order that it may preserve its credit. All the operations of a bank, or at least all that exceed the amount of its *bona fide* capital actually paid in, must be confined to notes based on real transactions, and having but a few months to run. Loans for such short terms are of little or no use in an agricultural community. If a farmer or planter wishes to borrow, he wishes to borrow for at least a year. The like is true of most merchants in newly settled countries. According to Adam Smith, the credits which English merchants used to grant to American merchants, previous to the revolutionary war, were usually from two to three years.

5. If a bank make long loans, as all it can then lend will be but little more than its real capital actually paid in, all it receives in the way of discount, will not be equal to the common interest of money, and the expenses of management.

6. So far from issuing "three to one," the banks of the United States do not, on an average, issue one to three on the amount of capital paid in.

7. If, by "the banking privilege of issuing three to one," the committee did not mean notes for circulation, but the aggregate of investments supposed to yield income, here too they erred. The aggregate of such investments, taking the banks throughout the Union, is but little more than two for one in the paid up capital.

8. So far from issuing notes in the proportion of three to one on the capital paid in, prudent bankers do not think it fit to issue more than three to one of the specie actually on hand. The laws of Louisiana require the banks of that state to have at all times on hand, an amount of specie equal to one-third of both their circulation and deposits.

9. The committee erred grossly in supposing that without banks there can be no lending on bond and mortgage. Long before banks were established in any part of the country, this was the favorite mode of lending. And, even to this day, but a small portion of the loans on bond and mortgage are made through the instrumentality of the banks.

10. Of all kinds of banks, those operating exclusively in government funds are the worst. It is the interest of the managers of such institutions to get as much out of them as they can for themselves and their favorites. Preventing losses to the state, is a secondary concern. Two of the banks that the committee set forth as examples, the State Bank of Alabama and the State Bank of Georgia, have gone to destruction. The true condition of the third, the Bank of the State of South

Carolina, cannot be known till the time comes for winding it up.

The principles laid down by the committee were, however, received without examination, and, in accordance therewith, a bill was brought in to establish a bank, with a capital of one million of dollars, to be raised by a sale of the bonds of the state, to which million, should be added the state's share of the surplus revenue of the United States, the five per centum derived from the sale of the public land, the seminary and saline fund, and all the other funds of the state.

At this very time the General Assembly had before it a report from Charles P. Bertrand, the treasurer, stating that the seminary fund amounted to \$1,965 11, of which the amount of \$1,807 22 had been lent. But that, "finding it impossible, in most cases, to collect even the interest," he had deemed it expedient to renew the notes for both *principal* and *interest*, making them payable in twelve months, and bearing interest from date. With this fact staring them in the face, the General Assembly resolved to lend, not only all the money the state then possessed, or might thereafter possess, but all the money it might be able to borrow.

On the 18th of October, this bill, so fraught with woe to the state and to the people, was passed in the Senate by a vote of 13 to 3. The yeas were, Messrs. Ball, Clark, Ferguson, Hill, Izard, McCamy, McKean, McLain, Ringgold, Smith, Saunders, Thornton and Williamson. The nays were, Messrs. Brown, Kuykendall and S. C. Roane. In the House it was passed on the 20th of the same month, without a formal division.

On November the second, the bill was approved by the governor, and, on the same day, Jacob Brown was elected president of the principal bank, at Little Rock, and Messrs. Samuel M. Rutherford, Edward Cross, Wood Tucker, John McLain, William B. Wait, James De Baun, David G. Eller, David Fulton, William Field, Richard C. Byrd, Elijah A. Moore, and Chester Ashley, were chosen directors.

David W. Lowe was elected president of the branch at Batesville, and Daniel J. Chapman, John Miller, William More, Charles H. Pelham, John Robinson, J. Anthony, Robert Smith, Lawson Henderson, and Joseph Egner, were made directors.

James McKissick was elected president of the branch at Fayetteville, and William T. Larrimore, Lodowick Brodie, James Byrnside, William Skelton, Alfred Wallace, Maurice Wright, John Henry, Alfred Henderson, and Philemon Williamson were chosen directors.

When this General Assembly commenced its session, the debt of the state was less than nine thousand dollars, (\$8,694 96 $\frac{1}{2}$.) Before it adjourned, it passed acts to involve the state and the people in debt to the amount of three million and forty thousand

dollars; namely: one million to establish the State Bank, two millions for the benefit of the Real Estate Bank, and forty thousand to pay the current expenses of the state government.

On the 10th of November, 1836, the directors at Little Rock held their first meeting, and resolved to request the governor to have the bonds dated January 1, 1837. On the same day they appointed a committee of correspondence to open a negotiation with foreign capitalists for the disposal of the bonds; and requested the president to ascertain from the secretary of the treasury of the United States, on what conditions the deposits of the public money could be obtained for the bank.

On the 12th of January, 1837, instructions were given to R. C. Byrd to contract for the engraving of suitable bank note plates.

Every effort was thus made to bring the bank into operation at the earliest day possible. But owing to the state of the times, it was found impracticable to negotiate any large amount of bonds bearing only five cent. interest. In the spring of the year an arrangement was entered into with the war department for the sale of bonds to the amount of \$300,000, but before it could be fully carried into effect, the banks throughout the Union suspended specie payment, and \$100,000 was all that was realized during the year from that source.

This was not the only disappointment the directors were doomed to suffer. The first installment of the United States revenue was due on the first day of January. Early in February, the treasurer of the state (Mr. Woodruff,) received two transfer drafts from the secretary of the treasury of the United States, one for \$45,583 83, on the Planter's Bank of Mississippi, and the other for \$50,000 on the Agricultural Bank of the same state. The first mentioned draft he exchanged with the United States receiver at Little Rock for an equal amount of specie. The latter, as he had no safe place in which to deposit the money, and as there was no probability of the bank's going into operation for several months, he deferred collecting till the second installment should fall due. On the 1st of April he received two other drafts for the like amount on the same banks, and in about two weeks afterwards he started for Natchez, for the purpose of receiving payment of these drafts, and also of the \$50,000 due on the first installment.

He arrived at Natchez on the 23d of April, "just at the commencement of the run on the banks of Mississippi and Louisiana, when their counters were constantly crowded, during business hours, with throngs of traders and others, all clamorous for specie in exchange for the large roll of notes which they eagerly presented."

Both the banks made very fair promises, but Mr. Woodruff found that if he made a peremptory demand for specie for the

whole amount of the drafts, he would probably get nothing. He therefore deemed it advisable to accept from the Planter's Bank bills of exchange on New Orleans for \$45,583 83, and to take from the Agricultural Bank her guarantee to deliver at Little Rock, on the 1st of July, \$100,000 in specie, free of risk and expense.

Proceeding to New Orleans, Mr. Woodruff presented the drafts which he had obtained from the Planters' Bank, and received specie for them, which specie he brought with him to Little Rock.

In a few days after his return, the news came of the suspension of specie payment, by both the Planters' Bank and the Agricultural Bank. This induced Mr. Woodruff to pay a second visit to Natchez. The cashier of the Agricultural Bank promised to do the best he could; but the promises were of so indefinite a nature that Mr. W. could not confide in them. He, therefore extended his journey to Washington City, and the secretary of the treasury, as the best he could do, gave him drafts on banks in Cincinnati, Louisville and New Orleans, in exchange for the drafts on the Agricultural Bank of Mississippi.

The third installment of the surplus revenue was due on the 1st of July, and drafts were received for it on the Planters' Bank for \$50,000, and on the Agricultural Bank for \$45,583 83. Negotiations were entered into with these institutions, in hopes of prevailing on them to pay at least a part of these drafts in specie, or in New Orleans paper; but they both steadily refused to pay in anything but their own notes; and such payment the Bank of the State of Arkansas was finally obliged to accept.

As there was no longer an apparent surplus, but a real deficit in the United States treasury, Congress, by a special act, relieved the secretary of the treasury from the obligation of making a deposit of the fourth installment with the states.

When the act was passed to establish the bank, it was confidently expected that one million dollars would easily be raised by the sale of bonds, and that \$382,333 32 would be realized in specie, or its equivalent, from the state's share of the surplus revenue of the United States. Instead of a million, only one hundred thousand dollars were obtained in exchange for bonds, and instead of \$382,333 32 from the United States surplus revenue, only \$286,757 47. Of this last amount only \$91,167 67 was in specie. The residue was in the notes of the non-specie paying banks of Ohio, Kentucky, Louisianan and Mississippi.

The directors at Little Rock were not the men to be daunted by difficulties. On the 8th of August, 1837, they commenced discounting. At that time, all the funds actually on hand, were \$90,000 in gold and silver, and \$66,000 in Ohio and Kentucky

bank notes. But they enlarged their ability to lend by the issue of post-notes, payable twelve months after date, and the treasurer, by agreeing to receive such notes for all public dues, made them the official money of the state.

This was an unfortunate proceeding. By it the bank stamped itself at the very beginning as a non-specie paying institution, and thereby prevented itself from acquiring credit abroad. As a consequence, even in the short period in which it actually paid specie, its notes were never at a less discount than 8 or 10 per cent. in New Orleans, and had not so much as the honor of a quotation in the prices current of New York and Philadelphia. It is true that if the bank had confined itself to issues of notes payable on demand, it could not have made loans and discounts beyond the amount of capital paid in. But as we shall see hereafter, even the contrivance of issuing inconvertible paper, did not, after the bank was brought into full operation, enable it to extend its loans and discounts much beyond the amount of its capital. It failed to add sound credit to its capital, and thereby was much restricted in its operations.

In October and November, exchange on the east could not be procured at less than 8 to 10 per cent. premium and specie bore a premium of 8 to 10 per cent. in "current paper." As this current paper, consisting chiefly of Arkansas bank post-notes, was the official money of the state, specie could not circulate concurrently with it. This led to the issue of "shin-plasters" by individuals and municipal corporations.

A special session of the General Assembly commenced at Little Rock on the 5th of November, 1837. On the 7th there was laid before the Senate, a report from Major Jacob Brown, the president of the State Bank, accompanied by sundry documents, showing the difficulties the directors had encountered, and the extent of their operations. From these it appeared that the amount of capital paid in up to November 6, 1837, was \$413,106 29, and that it had been derived from the following sources:

Sale of state bonds.....	\$100,000 00
United States surplus revenue.....	286,156 49
Five per cent. fund.....	26,725 00
Seminary fund.....	96 30
Saline or salt spring fund.....	127 50

Of the total, \$216,725 00, consisted of specie and United States treasury drafts, and \$196,381 29 of the paper of non-specie paying banks in Ohio, Kentucky, Louisiana and Mississippi. As was observed by the committee on banks, in their report to the legislature in 1857: "one of the objects professedly in view in establishing this bank, was that of supplying the state with a sound circulating medium, and it commenced operations by circulating the notes of distant and non-specie

paying banks, some of which proved to be ultimately worthless, and by issue of its own, which, as they increased the mass of notes not redeemable in specie, served still further to depreciate the currency and increase the difficulty of resuming specie payments."

So rapidly did the bank proceed in lending, that it had on hand on the 6th of November, only \$916 00 in the inconvertible paper of other banks, and it had added to the inconvertible currency then in circulation, \$91,255 in its own paper, that being the amount of its post-notes then in circulation, payable twelve months after date. Of notes of its own, payable on demand, it had issued only \$8,310.

The money received from the secretary of war (\$100,000), having been set apart to establish the branches at Fayetteville and Batesville, there remained for capital of the principal bank, \$313,105 29, on which it had made loans and discounts to the amount of \$322,141 98.

The amount of specie and U. S. treasury warrants on hand was considerable, being \$180,033 14, independently of \$31,000 due to the branch at Batesville, and \$150,000 specially deposited by one of the disbursing officers of the United States.

On the 18th of November, the joint committee on banks made a report through their chairman, Mr. Ferguson, in which they bestowed the highest commendation on the directors, and declared that the bank had done great good to the people:

"The directors, in all their proceedings, have had an eye single to the safety of the institution, and the welfare of the state; basing all their operations on such rules of prudence as would hazard neither its safety or its credit, and at the same time, extend its means to the use, and relief of the people. Commencing operations at a time when other institutions were trembling on the verge of dissolution, when, from one end of the Union to the other, banks which had stood the shocks and revolutions of trade for more than a quarter of a century, were compelled to suspend payment; and when all parts of the country were watching, with an eye of vigilance and suspicion, the movements of all banking institutions, it was a responsible as well as an arduous duty for them to perform. To commence the business of a new institution in a manner that would sustain its credit and inspire confidence in its operations, would have been a duty difficult for practised financiers—it was more so to men just commencing their practical experience where the system of finance has had but few operations, and is necessarily but little understood. It has been performed, however, and your committee are proud to say, the experiment has been successful beyond the most sanguine expectations of its friends. A large portion of the people of the state, and particularly in those sections most oppressed by the recent change in the

monetary affairs of the country, have been relieved; a currency of our own has been provided in lieu of that furnished by other states, much of which was greatly depreciated; and this, without extending the circulation of the bank to a point beyond half the amount of gold and silver on hand; leaving the institution, at this time, prepared and ready to carry out any course of policy which the General Assembly may deem it advisable to pursue."

The committee then proceeded "to recommend the passage of an act, authorizing the governor to sign the bonds of the state to the amount of one million dollars, including those now on hand and unsold by the bank, and to appoint an agent to proceed, without delay, to some one of our eastern cities, and effect a sale of them for eastern credits. "The time is believed to be favorable for negotiating such securities; and the condition of the country, and the best interests of the state, in the opinion of your committee, demand such a measure. In a country like ours, where all the elements of wealth lie scattered in profusion around us, and where it is in the power of the state to bring them into employment by the introduction of foreign capital, which alone is wanted to start the springs of enterprise, it is the duty of the legislature to extend every facility in its power to effect it. Though it may be considered by the over-cautious, a hazard to infuse into great masses of the people, that active spring which has made the United States a powerful nation in the same time that other communities have attained to the beginning of a name, yet experience has proven all the best means of mankind are promoted by it. Wealth, happiness, the comforts, and blessings of life, intelligence, confidence at home, and respect abroad; and the consequences of its irresistible impulses; and with us it requires but a system of liberal legislation to start it into action. The policy pursued by several of our young sister states fully sustains the truth of this assertion; and their example, the people of this state, it is hoped, will be emulous to follow."

As the banks of the Atlantic states were then all in a state of suspension, the recommendation of the committee was substantially that the bonds of the State of Arkansas should be exchanged for the paper of non-specie paying banks. Bringing foreign capital into the state would have been well, if it had not been connected with such a "system of liberal legislation," as to multiply debt to many times the amount of that capital.

In accordance with the recommendation of the committee, an act was passed (Dec. 18th) authorizing the issue of bonds to an amount not exceeding one million of dollars, at a rate of interest not exceeding six per cent. As this act did not repeal that provision of the act for establishing the bank, which authorized the issue of bonds to the amount of one million at

a rate of interest not exceeding five per cent., the two acts taken together, authorized those concerned in the institution to dispose of state bonds to the amount of two millions.

On the same day a resolution was passed authorizing the directors at Little Rock to issue two hundred thousand dollars in post-notes, payable in twelve months after date, and the directors of each branch to issue post-notes, payable in twelve months after date, not exceeding two dollars for one of capital paid into each branch. Previous to this, the issuing of post-notes was entirely unauthorized by, if not in direct contravention of law.

By another act passed Dec. 15th, the legislature attempted to extend still further the supposed advantages of the system by authorizing the establishment of a branch at the Post of Arkansas.

Before the close of the year, Major Jacob Brown resigned, because the position he held in the bank was incompatible with his duties as an officer of the United States, and Maj. William Field was elected president in his place.

On the 12th of January, 1838, the branch at Fayetteville commenced discounting. And on the same day, Mr. Brodie submitted the following resolution, which was unanimously adopted:

“As the directors of this bank do not receive any compensation for their attentions, and as they necessarily expend much time, labor and money in the management of said bank, it is therefore resolved, that the cashier be authorized, and he is hereby instructed to loan to the said directors, or any one of them, at the usual rate of interest, on the presentation of a note with two securities, *either* of which is supposed to possess ample means to meet the demand, payable twelve months after date, for any sum not exceeding the amount contemplated in the charter, to-wit: the sum of *ten thousand dollars*, the loan to be made in the usual issues, that is to say, in post notes payable twelve months after date, with a due proportion of such money as may be made payable on demand. And be it further resolved, that said directors, or either of them, after having drawn money as aforesaid, shall have the privilege of *renewing* their notes as they become due, *until* it shall be necessary for the bank to call in *all* its debts, and no one shall be permitted to borrow an *additional* sum after having drawn as aforesaid, until all the former demands shall have been satisfied; but nothing in the preceding resolution shall be so construed as to authorize the cashier to loan to any director an amount exceeding two thousand dollars, without the consent of the directory at a regular discount day.”

When it is considered that up to January, 1839, (a year after the date of this resolution,) this branch was operating on a bare

capital of \$110,000, the directors must be regarded as acting towards themselves with great liberality, inasmuch as they resolved to lend to themselves permanently the sum of \$90,000. They also acted liberally towards others, as it is shown by their books, that they discounted nearly all the notes that were offered.

On the 5th of February, the branch at Batesville commenced discounting. Thus, in the early part of 1838, the mother bank and two of its branches were in operation, and all on a capital of little more than \$400,000, great part of which capital consisted originally of the inconvertible paper of the banks of the neighboring states.

In June and July, the loans and discounts of the bank and its two branches amounted to \$689,264, the circulation payable on demand to \$7,785, and the post notes, payable twelve months after date, to \$241,943. The specie on hand amounted to \$241,923.

The most of the notes discounted had eight months to run. Specie bore a premium as high at times, as 10 to 15 per cent., when estimated in the post notes of the bank which constituted the chief part of the currency.

Not long after this, (August 27, 1838,) bonds to the amount of one million dollars were sold to the North American Trust and Banking company, at New York, on such terms as placed \$300,000 immediately at the command of the bank and its branches. The residue, with an allowance for interest, was payable in monthly installments, commencing with the first day of January, 1839, and ending with the first day of February, 1840.

According to a statement of November 5th, 1838, the capital stock of the principal bank at Little Rock, and the branches at Fayetteville and Batesville, then paid up, amounted to \$1,363,105 29, the loans and discounts to \$763,737 22, the real estate to \$10,743 53, and the specie on hand to \$316,045 76. There was due from the North American Trust and Banking Company, the sum of \$671,667 27, and from other banks, (including their notes on hand,) \$72,994 70.

On the other hand, there was due for notes in circulation, \$461,775, and to depositors and other banks, \$143,906 57.

Of the circulation, only \$83,840 was payable on demand. The residue, \$377,935, consisted of post-notes not yet arrived at maturity.

The condition of the institution at this time, was one of great strength, and on the first day of January, 1839, the principal bank at Little Rock, and the branches at Fayetteville and Batesville commenced paying specie on all the notes they had then in circulation, including post notes that were not due till twelve months after date. The branch at the Post of Arkansas, which

commenced discounting on the third day of January, 1839, never issued post notes.

At this session, the legislature, by an act passed December 18, 1838, made an effort to extend the supposed advantages of the system, by authorizing the establishment of an additional branch at the town of Washington, with a capital of \$300,000, to be raised by sale of new six per cent. bonds. They also directed such of the five per cent. bonds as remained undisposed of to be canceled.

It is here to be observed, that though the bank and its three branches all professed to pay specie on demand, they resorted to such means as were in their power to make that demand as light as possible. The chief contrivance was that each branch (the branch at the Post perhaps excepted;) should pay out, not its own notes, but the notes of some distant branch. "I have," says Mr. Ringgold, the cashier of the branch at Batesville, writing to Mr. Ball, the cashier of the branch at Fayetteville, under date of February 12, 1839—"I have received and paid out in your paper, since January 1, some \$10 or \$12,000, and the amount on hand at this time is small, (say \$3,000.) This gives your paper a circulation north and east, and I hope you will give ours a circulation west."

At first, the mother bank appeared reluctant to adopt this policy, but afterwards entered into it so heartily that the circulating medium of Little Rock consisted chiefly of notes of the Fayetteville branch. They were receivable for bank debts, but were at a discount of two per cent. for specie. Thus while the bank and its branches all professed to pay specie on demand, they did not furnish a paper circulation convertible into specie, for they took care to circulate their notes at such a distance from the place of issue, that they could not readily be presented for payment.

If this to any one may seem an unworthy subterfuge, it is proper to state that it is a common practice where the branch bank system prevails. The great bank of the United States did not blush to adopt it. And if rumor is to be believed, the banks of Virginia, North Carolina, Tennessee, and some other states, still persist in it. For example, a branch in the mountains of Virginia will give circulation to the notes of a branch on the sea-board, while the branch on the sea-board will return the favor by giving circulation to the notes of the branch in the mountains. This is the reason why exchange at New York on Virginia and North Carolina is at a greater discount than exchange on South Carolina. The paper currencies of Virginia, North Carolina and Tennessee, are, even in the best of times, not convertible into specie, because the manufacturers of that currency continue to circulate it where it cannot be easily presented for payment.

As already mentioned, the branch at Arkansas Post commenced business on the 3d of January, 1839. On that day it discounted notes to the amount of \$60,950, all having twelve months to run. In granting loans for such a long date, it acted on the principles of a loan office rather than of a bank; and thus the directors, by the first step they took, laid the foundation for future difficulties. Before the close of the month, they added \$31,900 to these loans and discounts, none of which were for less than six months.

January 24, the president stated that "from the apparent difficulty of obtaining a circulation of our paper at the present time, he felt it his duty to apprise the board that it would be necessary to restrict the loans to a shorter period. That the loans for twelve months should not exceed \$100,000, including those taken by directors," and that it would hereafter be necessary to discriminate between applicants as well as counties.

January, 31, the president made a still longer exhortation to the board. In it he said, "You will see by the statement just made, that our circulation is \$64,000. Could we reasonably calculate on this sum being in actual use, passing from hand to hand as a circulating medium, it would afford me pleasure to recommend a continuance of the liberal policy heretofore observed in respect to discounts. But the daily demand at our counter, leads conclusively to the opinion that not more than \$15,000 or \$16,000 of that sum is in actual transit from hand to hand, the remainder being held up in large sums for the purpose of calling on the bank for specie or eastern exchange."

April 24th. The president said, "the embarrassment in the South continues to increase daily. Most of the banks in Mississippi which had resumed specie payments in January last, have again suspended, and others have come to the alternative of issuing post notes. Also, some of the banks in Louisiana, as I am credibly informed, are issuing post notes to protect themselves for the great demand for specie. The banks in Arkansas have for some time back stopped discounting, and so far as I can learn, the demands upon them have been such as considerably to diminish the specie fund, and greatly curtail the circulation. The statement of this bank just read, shows to you that the specie continues gradually to diminish without any thing that may be considered a run."

Notwithstanding this, the directors took immediate measures for the erection of a costly banking house.

May 30th. The president said—"Here, and in every part of the state to which my information extends, there appears to be a great scarcity of money; I am, however, happy to inform you that the situation of the principal bank and branches is such as will enable them to meet any crisis or emergency that *may* or can possibly happen: * * * In consequence of the

protest of bills of exchange belonging to this bank in New Orleans, our resources are not so great at this time as we had good reason to expect they would be. I am also afraid that the great scarcity of money will cause many of these persons who obtained discounts on notes payable at maturity to ask for a renewal or further extension of time to pay them."

Oct. 31. The branch resolved to suspend specie payments.

Such is briefly the history of the only office of the bank of the State of Arkansas, that commenced operations with a *bona fide* payment of specie. In less than 9 months it finished its course, because it, from the very beginning, proceeded on false principles.

The history of the mother bank at Little Rock, and of the branches at Fayetteville and Batesville, was very similar to that of the branch at the Post of Arkansas.

On the 27th of February, it was ordered by the board at the principal bank, that persons obtaining discounts should receive the notes of the branches, "and such other funds as we may have to spare."

February 23, we read that "the paper of the Bank is at 8 @ 10 per cent. discount at New Orleans." So bad a character had the bank got by its commencing operations by the issue of post notes, that the assumption of specie payments could not establish its credit.

May 17th. "Our banks all pay specie, but it is at their own counters, and the expense of collecting from the Fayetteville branch, which supplies most of the circulation, is 2 per cent."

Sept. 4. For the last six or eight months a run on the banks—"there is great distress in this part of the country."

When the bank at Little Rock assumed specie payment, January 1, 1839, its circulation amounted to \$214,900, and its specie to \$131,392. When it suspended specie payments, Nov. 1, 1839, its circulation was reduced to \$43,420, and its specie to \$76,678 17.

At the time the bank and its branches suspended specie payments, (Nov'r, 1839,) they had, on a capital paid in of \$1,501,088, outstanding loans and discounts to the amount of \$1,544,617. Thus the loans and discounts exceeded the capital in the sum of only \$43,529. This was very different from what the founders of the system had expected. They supposed that "through the banking privilege of issuing three to one," a million of capital borrowed from abroad, would perform at home, the functions of three or four millions.

At this time the circulation of the bank and its branches amounted to \$301,310, and the specie in their vaults to \$264,100. As the notes in circulation exceeded the gold and silver on hand, in the sum of only 37,210, there was no immediate necessity for suspending specie payment. There were, to be

sure, on the books "deposits," to the amount of \$162,717, but only a portion of these were payable on demand. They consisted chiefly of part payments by debtors of the bank. What was owing by banks in other states, (\$142,945,) and the notes of other banks on hand, (\$39,313,) were more than a counterpoise for what was demandable by depositors, and for the amount in which the notes in circulation exceeded the specie on hand. The immediate means of the bank and its branches amounted to \$469,949, while the immediate liabilities could hardly have amounted to 400,000.

As in the case of the Real Estate Bank, so in the case of the State Bank, the suspension of specie payments was brought about, not by necessity, but by policy. The bank and its branches might all have continued to pay their notes on demand, but, by so doing, they would have put it out of their power to make new discounts, and perhaps have made it necessary to insist on prompt payment of "curtail and interest" on old discounts. This would have exposed even the directors themselves to great inconveniences. "The people wanted relief," and among the people none more than the directors themselves. They therefore determined to suspend specie payments.

December 5th, 1839, the board at the Post of Arkansas, "resolved, that the resolution of the 4th of April last, suspending discounts by this board, be, and the same is, hereby rescinded."

The latter part of 1839, and the beginning of 1840, were marked with new troubles. News was received that the North American Trust and Banking Company had dishonored the drafts of the branches at Fayetteville, Batesville, and the Post of Arkansas. The Trust Company wished a delay of twelve months on \$200,000, which it owed to the State Bank and branches, or, if this proposition should not be acceded to, it offered to return bonds of the state, which it still held, to the amount of \$200,000. Major Field went to New York as agent of the State Bank, and succeeded, though not without some difficulty, in making some arrangement with the Trust Company.

January 2, 1840, we read in the records of the Post branch, "our bills of exchange that we have purchased, payable at New Orleans, have nearly all come back under protest."

As the year advanced, trouble thickened. In September, news was received that the funds of this branch in the Philadelphia bank, some four thousand dollars, had been attached by Riggs & Co., of that city. This caused Mr. Luther Chase, the cashier, to address to that house a letter, in which he said, "the suspension of the State Bank and branches in 1839, was not a measure of necessity on their part, but one of prudence. By

suspending, they were enabled to render to our merchants and citizens generally, to a limited extent, the indulgence and facilities so much needed by them in consequence of the sudden fall in the price of our exports."

In November, news was received that the North American Trust and Banking Company had again dishonored the checks of the Post branch.

The mother bank had also its difficulties to contend with. Thus we read under date of January 27, 1841, in reference to the collection of debts: "In all undisputed cases, judgment is obtained in six months, but, by incurring heavy expenses and *getting the co-operation of the sheriff*, payment can be delayed twelve months."

Under date of February 12, we find it on record: "We do not pay out our own notes, which are consequently scarce. But current Arkansas paper is abundant, and the character of all is estimated alike at New Orleans, where the quotation is 25 per cent. discount."

It is well worthy of remark that, at the very time in which the banks of Arkansas were in this woful plight, the bonds of the state stood high in the London market. This appears from a letter of Frederick Huth & Co., of that city, under date of October 6th, 1840, addressed to the treasurer of the state, viz:

"For the sake of regularity, we beg to inform you by the present, that Col. James Murray, acting in behalf of the Arkansas banks, (or rather of Beers & Co.) has made payable at our office the principal and interest of the following bonds of the State of Arkansas, to-wit: [Here follows a description of the bonds, amounting in all to \$666,000,] on which the half yearly dividend amounts to \$19,800; which we have to pay here on the 1st of January and 1st of July of every year.

"The last dividend due on the 1st of July was punctually remitted by the banks, and we have no doubt that the next which will become due on the 1st of Jan'y, 1841, will also come forward in good time; but, at the suggestion of Col. Murray, we have, nevertheless, thought it right to give you the above particulars, to serve for your government, as, with a view to further sales of Arkansas stock in this market, and to uphold the high character which it bears at present, you will be no less anxious than ourselves to co-operate, and to see that all intermediate parties co-operate toward the punctual fulfillment of all the obligations of the state in this country."

Like most others connected with the banks of Arkansas, Frederick Huth & Co., were doomed to disappointment; they hoped, as appears from letters of theirs, still on trust, that their agency in paying the interest on Arkansas bonds in London, would cause numerous consignments of cotton to be made "to their house in Liverpool." For a time they furnished the bank

with regular statements of the variations of the cotton market. The officers of the banks had every disposition to ship to Liverpool as much cotton as would pay the interest on the bonds due in London, but, unfortunately, had not the power.

On the 1st of October, 1840, the principal bank at Little Rock resumed specie payment. At that time, its circulation amounted to \$32,340, and its specie to \$69,117 75. The branches, so far from imitating this proceeding, denounced it as unwarrantable, affirming that, in a case like this, the bank and its branches should all act together, and that a resumption could with propriety be brought about only by an order of the general board.

In about a month afterward, news was received that the North American Trust and Banking Company, had again dishonored the drafts drawn upon it. This increased still more the embarrassment of the branches.

On the 2d of November, 1840, the General Assembly commenced its third session. Governor J. S. Conway made, in his farewell address, the following remarks:

“The subject of the suspension of specie payment by our banks is one in which the people throughout this state have justly manifested much concern, and many of us have doubtless suffered considerable inconvenience in consequence of that suspension.

“The resumption of specie payments by the parent bank of the state institution at this place, has contributed but little to relieve us from the inconvenience complained of, as but a very inconsiderable quantity of its paper is in circulation. For the good of the people and credit of our state, I most ardently hope the time is at hand when each banking institution within our limits will be so conditioned as to be able to redeem with the hard dollars all its notes as they may be presented for payment. I am not in possession of any information relative to either institution which enables me to know at what probable period they will be thus happily conditioned. The general suspension of specie payments by the banks in the whole south and west, seemed, to the conductors of ours, to create a necessity to follow that example, for the preservation of our more infant institutions.

“The General Assembly will doubtless give this subject a full, fair and impartial investigation, and adopt such measures as will require the banks to resume at the earliest possible period, without endangering the interests of the state and usefulness of the institution; and, to prevent a recurrence of the evil, measures commensurate with the importance of the subject will doubtless be adopted.”

In his inaugural address, (November 6, 1840,) Governor Yell gave his views fully and freely:

“The banks of the country are stretching forth their countless arms to grasp all that may be worth preserving, and too often we find legislative interposition either tacitly approving or openly justifying their acts of usurpation—and still we submit to this most odious and unjust oppression without seeming to comprehend the heartless tyranny with which we are burdened.

“Are we ready to see the price of all our staple products raised and depressed at the will and caprice of these corporations, with their paper depreciated from twenty to fifty per cent. discount, to suit the convenience of stockholders and debtors, and the avarice of brokers and speculators? Rightly to remedy the existing evils, as far as prudence and sound policy will dictate, should be your first object. Let the strong arm of lawful authority interpose to teach brokers and stockjobbers a salutary lesson, who would pawn the industry and property of the country. Let no political or personal consideration swerve you from a scrutinizing and fearless discharge of your duty, to enforce all proper means to bring back your depreciated state paper to a sound specie standard; or lay the axe at the root of the evil. Your firmness and decision in restoring them within their chartered limits may confer some of the blessings contemplated by their framers; and by a sacred preservation of this rule, public confidence may again be restored, the price of property become more steady, and the laboring classes receive a just compensation as the reward of their industry. Even your public treasury has not escaped the rapacity of the times; as your money has depreciated, the salaries of some of the officers of the banks have increased in an equal ratio. It is time to place checks upon your treasury that will in future prevent bank directors from even an indirect control of its funds. That power should be alone exercised by the representatives of the people. I submit the propriety of limiting by law the salaries of all the bank officers, and of prescribing their number and grade.

“The evils which have resulted to the great body of the community from the late suspension are great and almost insufferable. It is a very striking instance of the radical defects of the entire system in every government, and under every system we may look for revolutions in business, consternation and distress, notwithstanding the country may be otherwise in a growing and healthy condition. These revolutions are, in some degree, owing to our commercial regulations. Occasionally the balance of trade is against us; we then feel the effects of a foreign debt, following upon excessive importations, aggravated by the consequent reduction of the price of our exports in foreign markets, and its corresponding depreciation at home. Every few years this foreign balance has swept the country of specie, and, of course, deranged the currency, and at times

paralyzed and frustrated business, bringing ruin upon thousands of our most enterprising and useful citizens. Such a crisis produced the suspension in 1839, and the misguided policy of many of our banks, by increasing their discounts to near half a million of depreciated paper, placed them beyond the possibility of an early resumption. Such a course of policy may be checked in future by the enactment of such laws as will make it not only a forfeiture of the charter, but *fine* and *imprisonment*, for the president and directors to issue or discount during their suspension, or for the issuing at any time of a certain amount of paper beyond the amount of specie in their vaults. So far as the currency of your own state is concerned, you have the power to correct the evil. I then respectfully submit the propriety of a thorough investigation into the condition of all the banks; and upon their report should mainly depend the character of your future action. If it is found that they have been managed with fidelity and prudence, it will tend to restore confidence, and remove the strong prejudice that now exists in the public mind. If, however, your apprehensions are not lessened by such investigation, your duty to your constituents and justice to the state, will require that no further liabilities shall be incurred by the state (for the present at least), with such other conditions and restrictions as will best conduce to bring about a better state of things, or prevent a like suspension in future.

“Our experience for the last twenty years has demonstrated that the producing part of the community are not, in the end, benefited by ‘the credit system.’ The delusions in the splendid mansions and springing up of towns, as if by magic, and the flooding of the country with goods from the Mississippi to the Indian boundary, will end too often in ruin to the proprietors and owners. Unfortunately for our state, all classes have participated in the delusion; and all, more or less, have suffered. ‘When the day of reckoning came, the banks were unable or unwilling to meet the crisis, and the whole are now suffering, not only from their own extravagance and overtrading, but are reaping the curses of a depreciated currency. This should teach us that ‘credit’ is not wealth, and that the safest reliance is upon our own frugality and industrious habits.”

It might be supposed, on reading these eloquent remarks, that Governor Yell was writing the history of a community, numbering some one or two millions, among whom paper money banks had been in operation for at least half a century. But he was writing the history of a state, whose whole population, according to the census of 1840, white and black, male and female, old and young, amounted to only 97,574, among whom paper money banks had been hardly three years in operation.

The governor's views were not acceptable to the General

Assembly; or at least to a part of them. In their opinion the fault was, not that there was too much, but there was too little banking. One of their first proceedings was to institute an inquiry why the branch at Washington had not been put into operation. To this the reply was, that the bonds intended to serve as capital for that branch (\$300,000,) though duly issued, could not be sold; and with this reply they had to be satisfied.

Some extracts from a report, signed by the Hon. W. D. Ferguson, and presented to the Senate on the 4th of December, will show the spirit of the times:

“The committee on banks, to whom was referred that part of the governor’s message that relates to banks, have had the same under consideration, and, after a careful and mature investigation of the subject, from the best information within the control of the committee, they take pleasure in informing the General Assembly, and the citizens of Arkansas, that the fears of the governor, expressed in his message, that ‘the evils which have resulted to the great body of the community from the late suspension, are great and almost insufferable,’ are not chargeable to the banks of Arkansas; for in the opinion of the committee, there was no alternative left for the banks of the state, but to suspend specie payments at the time they did, or to act recreant to themselves, and ruinous to the citizens of the state, by continuing to pay the specie of the people out of their vaults, to the ‘avaricious brokers and speculators’ of foreign states and cities, as it is a fact well known that the banks in Arkansas were the last to suspend specie payments. And why should your banks have continued specie payments after all the neighboring states, with whom Arkansas had any intercourse of trade, had suspended specie payment, and specie had ceased to be a circulating medium, but had become an article of trade, and that for exportation, unless they wished to gratify the ‘avarice of brokers and speculators,’ to whom the citizens of Arkansas owe no gratitude?

“In examining the principal bank of the state, the committee have had every facility afforded them by the officers of the bank, and have made a full examination of the condition of the bank, and report that they find the bank in a good condition, and all the statements in the report of the bank to the General Assembly correct. As respects the reports of the branches of the bank, your committee have had no means of comparing the reports with the state of the branches; but from the high standing and ability of the gentlemen selected by the legislature, as officers and directors of the several branches, your committee have no doubt of the correctness of the reports, which show a safe and sound condition of the branches.

* * * * *

“The committee, before closing this report, feel themselves

called on to express to the General Assembly, their full and entire confidence in the solvency of the several banks of this state, and their full ability to make good all their liabilities. The confidence of the committee has been founded on the following facts, namely: The several banks and their branches, are only liable for \$995,905 of circulation, with available means on hand of \$881,278, and having owing to them from the citizens of the state \$3,838,690, leaving a balance of \$3,724,068, out of which the banks owe depositors \$354,790, which will still leave \$3,269,278, in favor of the banks, after paying all their present liabilities. From these statements of facts, it must be obvious that *all the banks are perfectly solvent* and their paper good. But there is another fact which is necessary to be referred to, which is, that the taxable property in the state for the current year, amounts to the sum of \$25,603,326; and the whole amount of the circulation of the banks is only \$995,905, which is but one dollar to represent \$25 60 worth of property: which shows conclusively that there is a scarcity of money in the country; and the committee will give it as their opinion, that the restoration of the currency to a healthy standard, rests mainly with the people in establishing confidence among themselves in the solvency of the banks, and strenuously maintaining the credit of the paper among themselves in preference to paper of the banks of other states in which they have no interest, and over which they have no control: and the people of Arkansas, in honor to themselves and in defence of the high reputation that the state now maintains in the great commercial cities of the United States and Europe, for the solvency and punctuality of their banks, which has placed the bonds of this state, in the markets of New York and London, in high standing. As evidence corroborating these facts, the committee have the assurance of the agents appointed to make the late negotiation of the bonds of the state for the Real Estate Bank, and the letter of Frederick Huth & Co., the holders of \$666,000 worth of Arkansas State bonds, dated London, 3d October, 1840, in which they say that the bonds of our state have a high standing in the London market. And, while the banks are giving the state such a fair reputation abroad, and the banks themselves entirely solvent, the people on a fair and correct showing of the facts, cannot be so recreant to their own interests, and so regardless of the interests of this state, as to pursue any course that would tend to depreciate their bank paper, but will mutually sustain the credit of the currency, by freely receiving the paper in all the intercourse and transactions of trade and strenuously defending its solvency."

If the committee had taken the pains to reflect a little, they would have become convinced that as one dollar may be the instrument of several exchanges in one day and of many in the

course of a year, a very small amount of circulating medium was all that was required for the very small amount of commodities the people of Arkansas had then to circulate. Instead of there being a deficiency, there was a redundancy of currency, as was sufficiently proved by the fact that the notes of both the State Bank and the Real Estate Bank were many per cent. below par. But it is by fallacies of this kind, that the paper money men are always deceiving themselves, and that they too frequently succeed in deceiving others.

The committee could find nothing wrong in the proceedings of the State Bank and its branches, excepting that the mother bank had not made a proper distribution of her loans among the different counties, and that the directors had taken too large a share of the loans to themselves. We mistake, they found one other thing wrong. They "considered the resumption of specie payments by the principal bank, in advance of a general resumption by the banks in the adjoining states, and particularly of the banks of this state, as premature, and that it had not produced any good to the country."

Special committees were appointed to examine the affairs of the principal bank, and of each branch: but none of these appear to have acted, except that on the principal bank. They reported on the 15th of December, that they had performed the arduous duty assigned to them: "had examined diligently into the affairs of the principal bank, and had found it an institution *solvent and sound in every particular*, and one to which the public might extend confidence without danger of disappointment."

Before adjourning, the legislature passed "an act supplementary to the act incorporating the Bank of the State of Arkansas." This, after making considerable reductions in the salaries of the officers, provided that no president or director should be indebted to the institution, as principal, in a greater sum than 3,000 dollars; nor as security, in a greater sum than 5,000 dollars. It further provided that the governor should have authority to appoint one or more commissioners, not exceeding three, whose duty it should be to examine, from time to time, the condition of the bank and its branches.

The Bank of the State and the Real Estate Bank, with their superabundant issues, did not satisfy Mr. Ferguson, the chairman of the joint committee on banks. He therefore introduced a resolution—"That our senators in Congress be instructed, and our representative be requested to vote for a United States or national bank." This was rejected in the Senate, December 17th, by a vote of 14 to 5. A similar resolution that had been, on motion of Mr. Buckner, submitted to the House on the 1st of December, was rejected by a vote of 38 to 18.

In conformity with the provisions of the supplementary act,

Gov. Yell appointed commissioners to examine the condition of the branches.

Messrs. C. F. M. Noland and R. C. Byrd, the commissioners appointed to examine the branch at Batesville, made a report May 15th, 1841, in which they spoke of the danger this branch was exposed to, of being drained of its specie in order to pay its portion of the interest due on the state bonds. The indebtedness of some of the officers of the institution exceeded the limit allowed by law, but they expressed the opinion that early steps would be taken to correct this evil. They could not close their report "without expressing their firm belief that the management of this branch (bank) has always had an eye single to the interests and prosperity of the institution—that favoritism or partiality has never crept into it—and that the bad debts (if any) are traceable to any other cause than mismanagement."

Mr. R. C. Byrd acted alone in examining the branch at the Post of Arkansas. In his report dated March 1, 1841, he says: "I found in use a banking house, which, from the plan, locality and workmanship, is one of the best buildings in the state;" but he also says that the debts due to the branch could not be collected, that it would take all her eastern funds to pay her quota of the interest due in 1841, on the bonds, and all her specie to pay the interest due in 1842. "It is as clear to me as noon-day, that the banks of Arkansas cannot do anything in the way of a general banking business, for the next five years to come, only to keep a strict watch over debts due to them, keep their bills receivable renewed, and the interest paid on our state bonds at maturity. If this is not done, our credit is lost as a state, and we cannot recover it again in fifty years to come. It strikes me with great force that the only way to obtain this object is to call in the branches and concentrate all the business to some one point, under the management of a strict directory."

Messrs. David Walker and R. C. Byrd were the commissioners appointed to examine the branch at Fayetteville. In their report, dated June 20th, 1841, they say:

"Having ascertained, as far as practicable, the amount of gold and silver, bills and notes of this, and other banks, the notes and bills discounted, and on hand, and other credits, the next and far most difficult part of our duty, was to ascertain what amount of cash *should* have been in bank—the manner in which it has been conducted—its profits to the state (if any)—and the several subjects of special instruction. We regret to inform you that our investigation of this branch of our trust has been rendered difficult and uncertain for want of the books *alleged* to have been stolen from the bank a few days before our examination commenced; all of which have been found and are still legible, except that which contained the cash transac-

tions of the bank, the exchanges and other important entries. This book, when found, had all the pages containing entries cut out, and thereby precluded the possibility of an accurate investigation within the limits of service contemplated by our commission. For the purpose of obtaining as full information as practicable, we addressed the cashier, propounding to him such interrogatories as we conceived most important. We were particularly anxious to ascertain the amount of specie in bank, constituting the actual capital at the time of the suspension—the amount of deposits in specie at that time, or since—the amount of exchange sold by the bank, before, at, and after the suspension—and the terms upon which it was sold, and directed our inquiries on those points to the cashier, and regret that the means have not been furnished of reporting accurately on those subjects, the minutes of the directory do not furnish evidence, nor are we enabled to ascertain that any account of the cash, bills, or notes discounted, has ever been made from the organization of the bank, until within the last ten days.

The cashier, in his answer to a call made on him, to explain the cause of diminution of specie in the bank after suspension, says, that at the time of the second report to the general board, and ever since that time, *he has reported a larger amount of specie* than there was actually in the bank at the time, but did not state what should have been the true amount. He alleged that he acted under the authority of the directors, and accompanied his reply with a letter from one of the directors for the purpose of sustaining his assertion. We called before us and examined four of the old directors, and received letters from two others, for the purpose of being fully informed on this subject, and the result of our investigation leads us to conclude that, inattentive as the directors appear to have been in scrutinizing the reports, and testing their correctness by comparing them with the cash and notes on hand, they never did sanction or authorize a report differing from the facts as they really existed.

“The statement made by the six directors will be found, upon an examination of the facts, well sustained. The cashier in his second letter, states that he first misrepresented the amount of specie in bank in his report to the general board at the commencement of the session of the General Assembly, in the fall of 1838. The reason assigned for misrepresenting the true condition of the bank, is, in substance, its straightened circumstances, owing to heavy drains for specie, previously made, and to save the credit of the bank.”

The exact amount of the specie deficit, the commissioners could not ascertain. They, however, produced a certificate, showing that, of the blank impressions of notes intended for circulation, \$35,350 had not been accounted for. The presump-

tion was that they had been surreptitiously issued by Wm. McK. Ball, the cashier."

The reports of the commissioners appointed to examine the branch banks, were published by Gov. Yell in August, 1841. He accompanied the reports with an address to the people, in which he said:

"I am not aware, nor do I recognize any code either in morals or politics, that would authorize the executive to withhold this information from the public. If it should be considered favorable, it is due alike to the bank and to the country that it should be given; on the other hand, if doubts and suspicion are created as to their condition and management, it is alike my duty, however painful, to lay the subject before the country, and leave the consequences to time and the intelligence of the people. And however strong my prejudices may be against the whole system of banking, still, as the executive of the state, it is not my desire to indulge in invectives against the banks or their managers, but to present truly and faithfully their condition.

"The great and radical error is, the '*system*,' whether national or state banks; and the gradual unveiling mystery that surrounded the late Bank of the United States of Pennsylvania, will disclose to the people the whole system of *swindling* that has been practiced by too many of our monied institutions, to enrich a few individuals at the expense of the state and the people; and I fear, before their final termination, the states and the government are to be brought to the verge of bankruptcy.

"The present crisis requires firmness and decision, and no small degree of financial ability to sustain our institutions and the credit of the state.

"If the policy is continued for a few years longer, (as shown from the reports of the commissioners) of selling their specie to pay their interest on state bonds, their vaults will soon be drained, and the banks left without means to redeem their circulation.

"The very lucid reports of the commissioners, with their suggestions, have saved me the trouble of examining the subject more fully at this time. There are, however, some gross and inexcusable violations of the charter, that I cannot, in justice to you, pass over without bringing them to your notice, and if they are not corrected, you have the power in your own hands at the ballot box, to correct the evil; and if I mistake not, the time will shortly come, when our *politicians* and *statesmen*, who are the champions of chartered corporations, will learn they have been as blind to the interests of their country, as they were deaf to the voice of fame.

"The policy pursued by all the banks, (as you will learn from the reports), in the sale of eastern exchange, since the

suspension, is one of the principal causes which has placed them in their present embarrassed condition, which evinces but little skill in *financiering* or a system of *favoritism* which is less excusable. The most of the sales, since the suspension, have been for Arkansas money, and at rates varying from *five* to *ten* per cent., while the specie was worth from *thirty* to *forty* per cent premium. They should have used their eastern exchange which would answer the same purpose as specie, and less risk, in the payment of interest on their state bonds; but instead of meeting the interest account with their bills of exchange, they have been compelled, at Batesville and Fayetteville, to ship specie or buy bills to pay their interest account. If this policy is continued, by the meeting of the legislature, there will be but little specie remaining in their vaults. Should this unfortunately be the case, the noteholders will be left without the hope of redemption.

“The practice and policy of the respective branches, making large loans for the accommodation of their officers and directors is, in my estimation, in every way unjust and highly censurable, and in disregard of the provisions of the charter. Very many have received on their own accommodation the full limits allowed under the charter, which was not to exceed ten thousand dollars, ‘directly or indirectly,’ and have become security varying from ten to twenty thousand dollars.

[Here the governor shows that the liabilities of the directors at the three branches, as principals and as securities, amounted to \$475,127.]

“I do not intend so much to doubt the security of the debt, as to protest against such a policy, which is not only in violation of the charter, but alike opposed to the credit of the banks and the best interests of the people.

“The developments in the report of the commissioners who examined the Fayetteville branch (in whose capacity and integrity I have the fullest confidence), may render it necessary for me to appeal to the judicial tribunals to prevent further loss by the mismanagement of that institution. I have no other alternative to attain my object, without a called session of the legislature, which I consider at this time unnecessary and impolitic, thereby creating a large and enormous debt, which I desire to avoid; and besides, I have no assurance that the legislature would carry out the only policy (a withdrawal of the branches) which can save the banks and the state from irretrievable loss.

“I was not sustained in my policy by the last legislature in relation to the banks, and I have no evidence that they have changed their opinions since; and it is but just to presume that they fairly represented the wishes of their constituents; at all events, until I am better convinced of a change in the opinions

of the representatives of the public mind, I cannot reasonably contemplate a co-operation in carrying out such a policy as I consider indispensable to the security of the banks and the credit of the state."

The letter-books and minute-books of the different boards for the year 1841, reveal nothing but trouble. Mr. Bertrand, who was sent on a special mission by the principal bank, reported that sundry debtors in St. Francis county were preparing to remove their property from the state. February 26th, it was resolved that "in consideration of the present state of the bank, no new discounts *other than for directors* should be taken till further order." March 25, the directors at the Post of Arkansas received news that all their funds in the Union Bank of Louisiana "had been attached to satisfy claims by persons holding notes of the branch." In July, it was resolved that M. Greenwood should proceed to New York to settle accounts with the North American Trust and Banking company. In October, \$15,700 (in inconvertible paper) was set aside for the purchase of cotton, to provide, if possible, for the payment of the dividend on state stocks due January 1, 1842. This was, after news had been received that Mr. Greenwood could not make any satisfactory agreement with the North American Trust and Banking Company, and that only one of the sureties to the guarantee bond given by said company was worth anything.

The Batesville branch also made its appropriation of inconvertible bank notes for the purchase of cotton, that it might thereby be able to pay its portion of the dividends on the state bonds; but this process was found so ruinous that it had to be abandoned. Every new issue of notes of course diminished their value.

The directory at Batesville repelled with indignation the charges brought against them by Governor Yell. We "are of opinion that the alleged mismanagement and corruption of the Fayetteville branch have been made a pretext for directing a system of abuse and oppression against the bank at this place, that is not justified either by the condition or the management of the institution; probably to promote some long cherished prejudice against the banking system, to accomplish which at this time would be ruinous to the community, or for the purpose of giving aid to the favorite project of a few wire-workers at Little Rock to centralize and make tributary every other section of the state to that place." In this strain the directory proceeded through more than five closely written folio pages.

On the 27th of December, "in consequence of the great difficulty and endless delay in collecting debts due to the banks," and even in prevailing on the debtors to renew their notes, "many of whom have suffered suit to be instituted, and which are defended and plead against in every possible shape,

in order to evade the debt entirely, and delay the time as long as possible," the Batesville directory resolved "to appoint an agent to proceed to the different counties and make the best arrangements he could."

The first proceeding in the year 1841, of the directory at Fayetteville, was, according to their "minute-book," to resolve "to lend the citizens 45,000 dollars," which resolution was carried into effect. On the 6th of May, "the cashier (Mr. W. McK. Ball,) reported to the board the robbery of the bank, and that the four principal books of the bank had been taken therefrom. And that, on the advice of Messrs. Dean and Muryhy, he had offered a reward of five hundred dollars for the robber and the books lost, or one hundred dollars for each of the books lost. That two of the books, to-wit: the ledger and bill-book had been found, and for the latter he had paid one hundred dollars to the finder." "The board ordered a credit for the amount paid, approved of the cashier's course, and directed him to pay the reward offered on the return of the other books."

On the 4th of June, it was "ordered to pay Negro Jim five dollars for finding a mutilated book, supposed to be one of the books stolen from the bank." On the 2d of July, it was resolved that John Brodie "be allowed the sum of twenty-five dollars for finding the discount book, which was purloined from the bank, the same having been returned, but materially injured by lying in the water."

An examination of the branch, by commissioners appointed by the governor, seems not to have been agreeable to the directors, as they, on the 4th of June, resolved "That the attorney for this bank be instructed to inquire by what authorities David Walker and R. C. Byrd, members of the legislature of Arkansas, act as commissioners for the examination of this bank."

On the 27th of August, it was resolved that Mr. Boileau is at liberty to proceed, at any time that may be convenient to himself, in the execution of the trust reposed in him as commissioner."

As late as the 28th of August, it was resolved that, "as the board had no evidence that any defalcation existed on the part of W. McK. Ball, all proceedings against him should be suspended till Mr. Boileau should make his report."

On the 4th of October, the cash committee reported that the books of the bank were in such condition that the only way of arriving at a knowledge of its true state, was by a laborious investigation, similar to that Mr. Boileau was then making."

On the same day, it was resolved "that the president of the bank be requested to employ some competent person to bring up the books of this bank from the time of their first commencement of business up to the present period."

From other testimony it would appear that the condition of things was worse even than might be inferred from the records of the different boards. Thus the "Southern Patriot" says:

"About twenty men in Phillips county, Arkansas, recently *ran off* the judge, refusing him permission to do his duty, and resolving to *hold court* themselves. Many executions being by law returnable at the last May term of that court, and much property advertised to be sold; and, moreover, the Real Estate Bank at Helena, and the branch of the State Bank at the Post, having brought a great number of suits in that court, a long petition was got up, signed by some two hundred persons, praying the Hon. Isaac Baker, who was to hold the court, not to do so. The petition was borne to Columbia, and presented to the judge. Judge Baker proceeded, however, to Helena, for the purpose of holding the court. Finding that he could not be persuaded to decline doing the duty imposed on him by law and the obligations of his official oath, about twenty men armed themselves, and took possession of the court house, the door of which they barricaded, and refused to permit any person to enter. The sheriff attempted to obtain an entrance, and threatened to break down the door. The response was that if he did, he would be instantly killed. The sheriff accordingly desisted, and made a requisition upon the colonel of the county for fifty men to enable him to suppress the rebellion, but the affair terminated in the full triumph of the rebels, and Judge Baker returned home to Columbia."

These reminiscences may not be pleasant, but they may be profitable. They show to what desperation men may be reduced by debt.

The bank and all its branches made an effort to meet the dividend due on the bonds in January, 1842, by purchase of cotton and resale of the same; but the effort did little good. With this object in view, \$58,810 were put into the hands of the president of the principal bank in September and November, 1841. With \$2,250 of this money, he bought cotton in Arkansas at 11½ cents on the pound, and sold it at New Orleans for 8½ cents a pound. As all the funds realized in this way, would go but a little way in meeting the interest on the state debt, the president, on his own authority, invested the proceeds (except \$291 71, consumed in expenses) in Arkansas bank notes at 27 or 30 per cent. discount. The sums of \$450 and \$1,500 put into other hands with a view of purchasing cotton, appear never to have been accounted for. Every step the bank took involved it in additional losses.

The attempt to raise funds by the purchase and resale of cotton having failed, the principal bank, in the absence of other means of remittance, shipped specie to New Orleans, wherewith to buy bills of exchange on New York. In this way the

whole of the interest due on the State Bank bonds in July, 1841, \$33,650 was paid; and \$8,968 13 on account of the interest due on the 1st of January, 1842. This was the last payment of interest on state bonds ever made by the State Bank.

By his doings, Mr. McK. Ball acquired, if not fame, considerable notoriety. His name was mentioned in nearly all the papers of the Union. The following extracts from the Philadelphia Journal of Banking, may serve by way of example:

"August 18, 1841. Wm. McK. Ball, cashier of the branch bank of the State of Arkansas at Fayetteville, is stated, in the Baltimore Patriot, to have recently absconded to Texas, leaving the bank minus some \$64,000. No doubt Mr. Ball is, as well as Mr. Town, of a very respectable family.

September 1, 1841. "We stated in our last, that no doubt Mr. Ball, the absconding cashier of the Fayetteville branch of the State Bank of Arkansas, was of a highly respectable family, as well as Mr. Town, the defaulting teller of the Jacksonville branch of the State Bank of Illinois.

"Our conjecture has been verified. The editor of a journal published at Westchester, Pennsylvania, states that Mr. Ball is a native of Newcastle county, Delaware. He studied law in the office of Mr. Darlington, in Westchester, and so excellent was his conduct and character while residing in that borough, that the editor thinks there must be some mistake in what is related of his doings in Arkansas.

"There may be more than one man in the country bearing the name of Wm. McK. Ball; and all bearing that name may at one time have borne a good character, and been correct in principle. But as our American banking system is the most efficient of all systems in converting honest men into rogues, they may all have fallen victims to its demoralizing influence.

"There is no mistake about the character of the doings in Arkansas, whoever was the author of them."

September 29, 1841. "Mr. Wm. McK. Ball, the cashier of the branch bank of the State of Arkansas at Fayetteville, has returned from Texas. He pronounces the charge that he is a defaulter, a bare-faced falsehood, and declares his intention to ferret out the authors of the slander, and promises that, if successful, they shall be dealt with in proper style, let them be great or small.

"It would be quite possible for one bank officer to commit a default, and then so arrange matters as to cast suspicion on another. The high regard entertained for Mr. Ball in his native state, Delaware, and in Westchester, Pennsylvania, where he completed his professional education, is certainly a strong presumption in favor of his innocence."

January 19, 1842. "Some of the western papers say that Mr. W. McK. Ball, once cashier of one of the branches of the

Arkansas State Bank, and who was accused of being a defaulter, has 'run his slaves into Texas.'"

March 30, 1842. "From the statements in the western papers, there seems to be no longer any doubt that Mr. Wm. McK. Ball, late cashier of a branch of the State Bank of Arkansas, is a defaulter. He threatened, as our readers may recollect, to visit, with signal punishment, those who had brought this charge against him; but it appears that he has made his final escape to Texas."

Mr. Boileau was engaged from August 22, 1841, to April 29, 1842, in investigating the affairs of the branch at Fayetteville, and preparing a new set of books. He found that Mr. Ball was a defaulter in the sum of \$33,279 60, or, if the blank impressions of notes that were missing, \$12,920, be added, in the total amount of \$46,199 60. The default was less than Messrs. Byrd and Walker had, in making their researches, been led to believe.

Mr. Ball died in Texas.

About this time the directors at Fayetteville, engaged in what they regarded as a masterly movement, though no record was made of it on the books till July 15th, 1842. We then read that,

"John A. Scott and Charles W. Dean, the agents who were appointed by a resolution of a board of directors of this bank to proceed to the city of New York with \$10,000 of the specie of this bank, for the purpose of purchasing a portion of the bonds issued by the State of Arkansas to raise funds to put this branch in operation, made a report to the board setting forth the manner in which they had proceeded as agents as aforesaid, which report was received by the board and ordered to be filled with the papers of the bank; said agents claimed no compensation over their actual expenses."

From another entry under the same date, it appears that the resolution was adopted at a *private* conference of the board on the first Friday in April, but from prudential considerations not then put on the minutes. The cashier was not allowed to be present, and the strictest secrecy was enjoined on the agents. The bonds were at that time quoted at 13 to 17 cents in the dollar in the New York market; but the agents were empowered, if it were necessary, to give twenty cents in the dollar, or even a little more.

Finding it impossible to purchase the bonds on those terms, the agents returned to their homes, leaving in the hands of S. J. Silvester, esq., a broker of New York, the net sum in specie of \$9,934 36, with instructions to him to effect what they themselves had not been able to accomplish.

In September the directors appear to have become concerned

about their money, for we read, under date of the 4th of that month:

“Whereas, no information has been received that the funds have been used agreeable to the designs of this board, it is therefore considered that the most effectual means should be used for the purpose of saving said funds, and guarding them from *the grasp of speculators*: It is therefore considered that an agent should be employed forthwith to repair to New York.”

A committee of four was appointed specially to attend to the subject, and it was enjoined on the said committee that “they should exercise great precaution.”

It was further resolved, “That L. Brodie and M. T. Scott be appointed as agents of this bank, that they go on immediately to Van Buren, for the purpose of procuring the indorsement of James A. Scott, on a certificate of deposit for nine thousand, three hundred dollars of the specie of this bank, deposited by said Scott, with S. J. Silvester, of the city of New York.” Thus the business involved the expenses of journeys, not only to New York, but to Van Buren also. On one day, December 12, 1842, resolutions were passed ordering specie to be paid to N. L. Wilson, L. Brodie and J. Brodie, for expenses incurred on journeys to Van Buren on business of the bank, and to W. L. Wilson for expenses on a similar journey to Little Rock, besides \$450 to C. W. Dean, in Arkansas money, “for going to New York and back, again on the business of this bank, which journey he performed in the course of the last autumn.” This was in addition to the journey in the spring, when Mr. Dean, in conjunction with Mr. Scott, deposited the \$9,934 16, in the hands of Silvester.

To cut a long story short, Silvester did not purchase the bonds, and the “extreme precaution” exercised by the board did not preserve the money “from the grasp of speculators.” When Dean, on his second or third visit to New York, requested Silvester to refund the money, the latter replied that he had instructed his agent in London to make the purchase of the bonds if it could be effected on the terms prescribed, and for aught that he knew to the contrary, the purchase had been made.” What Mr. Silvester’s London agent did in the matter, is not on record: but Mr. Dean judged it best to leave the business in the hands of Mr. Elijah A. Payne, a lawyer. This gentleman charged a liberal sum for his services, but could not prevail on Silvester to disgorge. Finally, Riggs & Co., of Philadelphia, who had a judgment against the bank, by some astute management, succeeded in making Silvester pay over to them, a part or the whole of the funds with which he had been intrusted by the agents of the bank.

Thus ended this master stroke of financial policy. Instead of resulting in the purchase of bonds of the state to the value

of \$50,000 or more, at from 13 to 20 cents in the dollar, as its projectors fondly hoped, it resulted in the loss of the 10,000 silver dollars they appropriated for the object, with perhaps half as much more in lawyer's fees and traveling expenses.

It was not till the year 1844, that the claim on Silvester was transferred to Riggs.

The minutes of the boards at Batesville and at the Post of Arkansas, for the year 1842, reveal nothing that here requires particular notice.

The board at Little Rock seem to have lost confidence in one of their own number, as they on the 4th of January, 1842, resolved,

"That a committee be appointed to inquire into the continued absence of John C. Johnson, a member of this board: also, whether the said Johnson has defrauded or attempted to defraud this bank, in running off negroes and selling them, when the said negroes were under mortgage to this bank: also, in assisting any debtor or debtors to this bank to abscond with his or their property beyond the jurisdiction of this state."

At the next meeting the committee made a report in which they, to a certain extent, sustained the charges brought against John C. Johnson, and he was forthwith expelled from the board.

In the Silvester case, the broker proved too much for the banker: but, in the following, as recorded under date of January 25th, the banker appears to have got the advantage.

"The president, (Mr. Field) reported (verbally) that, while on his way to New Orleans, in order to arrange for payment of interest on state bonds, he ascertained that a person was on board the boat, following him, for the purpose of laying an attachment on the \$8,000 specie, on a claim for that amount of branch bank notes, under which circumstances he had considered it most prudent to land the specie at the Columbia (Real Estate) branch bank, taking certificate of special deposit in favor of Ward, Moffit & Co., New Orleans,"—all which proceedings were approved by the board.

On the minutes of the general board, is spread at length, the report of the president, Mr. Field, respecting the difficulties he had to encounter in his efforts to purchase cotton wherewith to pay the interest on the state bonds due in January and July, 1842. The whole result was the shipment of some 80 bales to Frederick Huth & Co., for the satisfaction of the European holders of the bonds. But, it being deemed of special importance to pay the interest due on the 5 per cent. bonds held by the United States government, \$8,000 in specie were appropriated for that object.

These minutes also contain reference to the efforts made to compel the North American Trust and Banking Company to

pay what it owed. The board made liberal provisions for the payment of lawyers, but the lawyers had no success.

The General Assembly commenced its fourth session at Little Rock, on the 7th of November, 1842. The auditor (E. N. Conway) reported, "that all the interest due from the Bank of the State had been paid in full, to the 1st of July, 1841, inclusive—and that the further sum of \$8,986 13, had been paid on account of the interest due on 1st January, 1842. The total sum of interest due from the bank, on account of the state bonds, inclusive of exchange and brokerage, was \$58,331 87, of which the sum of \$24,681 87, was due on the 1st day of January, 1842, and \$33,650, on the 1st day of July, 1842. Of the interest due, the sum of \$30,000 is payable in London, and \$28,331 87, in New York.

Governor Yell, in his message to the General Assembly, expressed himself with great force and clearness.

"To arrest the downward tendency of things, to restore the honor and credit of the state, unshackle her resources and energies, and to reinstate the somewhat unfashionable custom of honesty, promptness and economy in financial matters, will be the momentous duty of this legislature: and if you are faithful, as I am sure you will be, in spite of the clamors of interested classes, you will achieve the lasting gratitude of your constituents and the whole country. But the crisis is full of difficulty and responsibility, and demands an honest and fearless devotion to the public welfare.

"We are in the midst of a great revolution on the subject of banking. The developments, glaring and startling, of the demoralizing and ruinous consequences of the present system, demand at your hands a radical reform. The great mammoth or regulator, has fallen, and bank after bank has followed it to destruction; tumbling down in its course, the prospects of millions, and devouring the hard earnings of the laboring classes. And is it possible the people are so infatuated with their chains as to submit, quietly, to such oppression and legalised swindling?—witnessing the proceeds of their industry committed to the use of the few who live upon credit, and the facilities of the banks? Such a system tends to paralyze industry, prostrate trade and commerce, and subject the country to revolutions, dangerous even to our liberties.

"To you, as their representatives, they have, with a generous confidence, entrusted a reformation of the present system; and to you they confidently look for redress, by the adoption of some measure that will restore a sound currency, and put an end to a system which is as disastrous upon the prosperity of the country, as it is corrupting and demoralizing in its tendency.

"We still find the banks clinging to the fragment of a wreck which they can never hope to refit and render useful. They

will, ere long, find that some concession must be made to public opinion, which has been roused to action by their mismanagement and fraud: and the subject has now reached a magnitude and importance, that forces itself imperatively on the consideration of the appropriate departments of the government, if they would preserve our political institutions and the prosperity and happiness of the people.

“The examination of the condition of the branches of the State Bank, and the developments in relation to the ‘hypothecation’ by the Real Estate Bank, of half a million of state bonds, have fully demonstrated that all the exhibitions of figures, setting forth the condition of the banks, by their reports, give no reliable information of their true circumstances, but are too often calculated to mislead and deceive. The condition of the Fayetteville branch fully confirms this impression. And the report of the Real Estate Bank to the last legislature is conclusive, where they report that the five hundred state bonds are “on hand and unsold,” whereas subsequent facts have demonstrated that they had been hypothecated to the North American Trust and Banking Company, nearly three months previous, for the nominal sum of \$250,000; receiving only the sum of about \$125,000, without sanction of law, and in express violation of the charter.

“It would be criminal, on my part, to disguise the deplorable condition of our banking institutions, and the fearful prospect of loss by their mismanagement, which is likely, ultimately, to fall upon the people. To sustain the credit of the state, resort must be had to further and oppressive taxation, if the present extravagant and ruinous system is longer continued.

“By reference to the reports of the condition of the banks at the date of their suspension in October, 1839, compared with their present condition, (independent of the interest due on their bonds, amounting to about the sum of \$149,501, due in specie or par funds,) it will be seen that the sum of \$80,000 or \$100,000 in specie, has been abstracted from the vaults, by embezzlement, and by the short-sighted policy of taking the specie to pay the interest on the bonds, whilst they refused to redeem their circulation, which kept it at the ruinous discount of from 25 to 60 per cent., thereby giving a preference to their foreign creditors, without the most remote possibility of being able to resume. This system of financering has been pursued until their specie is nearly exhausted; they are at last unable to pay their interest. Our bonds are now under protest, and the price of our stock reduced to a point but little better than the stock of the late Bank of the United States.

“Is not their condition, of itself, sufficient to require at your hands an act putting the whole in a course of *liquidation*, giv-

ing such time as justice to the state will warrant, with as little pressure upon the community as possible, so as to be able, with the means and assets of the bank, to take up their circulation, and to pay their interest punctually, and finally the bonds themselves?

“ However reluctant to acknowledge the fact, it is nevertheless true, that our treasury is not in a condition, nor will it be, to pay the interest on the state bonds, which is now, or will become due, for the next few years.

“ Our citizens are already oppressed by taxation, to meet the expenses of the state government. I am not prepared, therefore, to recommend an increased taxation, for the purpose of meeting the interest on the state bonds; but prompt and energetic measures should be adopted, with the means and assets of the banks, to effect such objects upon all such bonds as have been sold in good faith, and in strict accordance with the bank charters.

“ However much the people of Arkansas may be disposed (and none are more so) to sustain her faith and credit, in the payment of all just and legal claims, she would nevertheless be unworthy of the character of a sovereign state, if she tolerated for a moment the idea of paying for bonds illegally and fraudently disposed of. * * * * *

“ We are not without hopes, by a prudent and judicious, but prompt exercise of a corrective power upon our banking privileges, that we may yet enjoy better times. Industry and economy have again made their appearance, and if they continue, will insure plenty, prosperity, and contentment. Our troubles are not without their advantages; they give us the wisdom of sore experience, and stand as beacon lights to guide us in future. Upon close examination, we find our misfortunes have been produced by blunder and follies in which we have too long acquiesced. Then let us not despair: the industry of our hardy population, and the ample resources of our young state, bid us be of good cheer, and look to the fertile fields of our own rich valleys and beautiful prairies, as a sure indemnity against all the evils which have swept, like ‘ a deadly sirocco,’ over this once prosperous and flourishing people. I have full confidence that, if this mode is carried out, we shall have money sufficient to meet all the legitimate wants of the country, without encouraging ‘ the credit system,’ which is certain to end in loss, and often in ruin, to states as well as individuals. There is a portion of the community which will not be satisfied with such a policy. I have no doubt, if the whole wealth of the country was applied to their use, it would be inadequate to their wants.

“ The main object, however, will be accomplished, if you can give the country a sound and constitutional currency, and

secure the note-holders against loss and imposition, with the means at our command, and the exports of the country. We shall then, in a few years, attain to a sound and healthy condition.

“The advocates of a sound and constitutional currency have, heretofore, been struggling in a bare minority, against associated wealth, composed of bankers, brokers, speculators and stock-jobbers, whose course of policy has well nigh ruined the country, with a depreciated currency, and a consequent diminution in the price of property and the products of the soil.

“The standard of a sound and constitutional currency has been unfurled, and beneath its ample folds, thousands of our aboring classes have taken their stand, and if they are faithful in the cause, they will ultimately drive the money changers from the temple they have polluted.”

Sentiments such as these ought to commend themselves to the people of Arkansas, both now and ever hereafter; and not to the people of Arkansas only, but to those of the whole Union.

Governor Yell found the General Assembly of 1842-'43 much more disposed to co-operate with him than was the General Assembly of 1840-'41. They instituted searching inquiries into the manner in which the bonds of the state had been disposed of, and made as minute inquiries into the condition of both the Real Estate Bank and the Bank of the State as circumstances would permit.

A part of the result of their labors was the passage of an act to place the Bank of the State in liquidation.

By this it was provided that the legislature should elect a financial receiver, an executive receiver, and an attorney, for the principal bank and each branch, which officers should hold their situations for two years, and have, subject to the various provisions of the act, the sole control of the affairs of the institution.

They were forbidden to make new loans, and required to collect from the debtors to the bank, what was due from them, in installments, so that the whole should be collected in ten years.

The notes of the bank and its branches were, in the first place, to be received in payment of debts due the bank, and after these notes should all be redeemed, then any bond, scrip, or obligation of the state, for the payment of money, whether due or not. Thus the debtors were not only allowed ten years to pay what they owed, but were allowed to make payment in paper which was depreciated many per cent. below par.

Under the provisions of this act, all the assets of the bank at Little Rock were, on the 9th of June, 1843, transferred to S. M. Rutherford, as executive receiver, and John H. Crease, as financial receiver.

At Batesville, the transfer was made on the 1st of July, to Thos. S. Drew, financial receiver, and J. Chapman, executive receiver.

At Fayetteville, the transfer was made on the 21st of July, to David G. Harris, executive receiver, and James McKissick, financial receiver.

At the Post of Arkansas, the transfer was made on the 15th of June, to Samuel Mitchell, executive receiver, and Wm. A. Doherty, financial receiver.

The attorneys elected were, at the principal bank, S. H. Hempstead; at Batesville, Lewis B. Tully; at Fayetteville, A. B. Greenwood; and at the Post of Arkansas, M. W. Dorris.

By another act passed during the session, the State Bank was directed to reimburse to the state \$15,000 in specie, of the surplus revenue received from the United States. This was vetoed by the governor, but became a law by a constitutional majority of both houses. This specie was applied to the payment of the wages of the members of the legislature.

Judge Baker presented a memorial, praying that provision might be made for the payment of his salary in the constitutional currency of the United States. But the committee on the judiciary in the Senate reported:

“That the memorialist occupied the office of judge at a time when the revenue of the state was payable and collected in depreciated bank paper; and that the fact was known to the memorialist at the time of his acceptance of his office as judge. It was a fact susceptible of clear demonstration at the time, without any great skill in financiering, that all the functionaries of the state, would receive their pay in such currency as was receivable in payment of taxes due the state, and the acceptance of an office with a full knowledge of these facts, amounted to a tacit agreement, at least, that the officers would be satisfied to receive the money which constituted the revenue of the state, in satisfaction of their claims.”

At this time, “Arkansas money” was at the rate of from two and a half to three for one in “good money,” so that a judge with a nominal salary of \$1,500, received the equivalent of only from \$500 to \$600 in specie.

As, after November, 1839, not one dollar in specie was paid into the state treasury, the payment of postage on the letters addressed to them, gave no little embarrassment to the public functionaries at Little Rock. This difficulty was at length overcome, by the ingenuity of the joint committee on the auditor's and treasurer's books. In their report of December 23, 1842, they said:

“Your committee would further suggest, that there has been at different times very considerable sums applied to the payment of postage for the different departments of government,

and as it has to be settled with Arkansas money, the state, not unfrequently, pays inordinately large sums to procure specie to liquidate sums in themselves inconsiderable.

“The only remedy the committee are able to propose is, that the State Bank, or those who hold its funds, after it is put into liquidation, shall be required to place under the control of the state treasurer a sum in specie sufficient to cover the expenses of postage.”

So long as the Bank of the State and the Real Estate Bank had power to lend, the financial affairs of the State of Arkansas, proceeded smoothly enough. But as soon as the ability to lend ceased on the part of the banks, fiscal embarrassments began.

The following statement of the condition of the Bank and its Branches, at the time its affairs passed into the hands of receivers, is the result of a careful collation of various documents.

RESOURCES.	Little Rock.	Fayetteville.	Batesville.	Post of Arkansas.	Total.
Loans and discounts.....	\$ 605,197 75	\$336,389 63	\$240,361 20	\$228,614 60	\$1,410,563 18
Back interest.....	53,198 50	17,538 61	20,378 94	33,298 29	124,414 34
Due by individuals.....	2,516 04	2,614 21	3,477 66	1,280 79	9,888 70
Loans to State of Arkansas, with interest due to June 1, 1842.....	161,774 17	.....	.....	.....	161,774 17
Five per cent bonds redeemed from Real Estate Bank.....	32,666 66	.....	.....	.....	32,666 66
Specie.....	22 44	19,449 42	36,097 70	7,379 37	62,948 93
Specie in hands of Silvester, New York.....	.....	9,934 26	.....	.....	9,934 26
Due by North American Trust and Banking Company.....	504 72	1,874 99	10,980 29	10,164 84	23,524 84
Due by Real Estate Bank and branches.....	1,624 60	1,044 60	.....	5,262 31	7,931 51
Due by banks in other states.....	23 91	177 94	.....	121 25	223 10
Notes of Real Estate Bank and branches, on hand.....	13,900 00	41,200 00	16,350 00	4,775 00	76,225 00
Notes of banks in other states, on hand.....	865 00	112 00	.....	175 00	1,152 00
Corporation tickets, on hand.....	47 85	1,760 35	30 75	78 37	1,917 32
Due by state treasurer.....	1,376 35	300 00	.....	.....	1,676 35
Real Estate. (Banking-houses).....	27,726 02	7,538 27	15,208 18	15,761 29	66,233 76
Total.....	\$901,444 01	\$439,934 28	\$342,884 72	\$306,911 11	\$1,991,174 12

The accounts of the principal bank at Little Rock are dated June, 1843; those of the Fayetteville branch, July 21, 1843; those of the Batesville branch, July 21, 1843; and those of the branch at the Post of Arkansas, June 15, 1843.

The "back interest" due at Little Rock has been computed, no separate return of that item having been made by the officers.

The notes of banks in other states, and the "corporation tickets," proved to be utterly worthless.

LIABILITIES OF THE BANK AND ITS BRANCHES.

For the principal of 169 five per cent bonds....	\$ 169,000 00
For the principal of 1,000 six per cent. bonds..	1,000,000 00
For arrears of interest to July 1, 1842.....	58,331 87
Interest on five per cent. bonds from July 1, 1842, to July 1, 1843	8,450 00
Interest on six per cent. bonds from July 1, 1842, to July 1, 1843	60,000 00
Total due on account of state bonds.....	<u>\$1,295,781 87</u>

DUE TO THE STATE.

Five per cent. fund	\$68,777 20	
Seminary fund	2,188 41	
Common school fund.....	1,515 84	
Saline fund.....	151 37	
Balance of U. S. surplus revenue...	268,045 89	340,678 71

FOR NOTES IN CIRCULATION.

Little Rock ..	\$ 2,230	
Fayetteville.....	164,350	
Batesville	55,250	
Post of Arkansas.....	56,020	
	<u>\$277,850</u>	
Deduct branch notes on hand	60,920	
		<u>216,930 00</u>

DUE TO DEPOSITORS.

Little Rock	\$37,469 19	
Batesville.....	7,341 68	
Post of Arkansas.....	9,800 86	54,611 73
Due to R. E. Bank and branches	2,016 97	
Due to banks in other states	4 65	2,021 62
		<u>\$1,910,023 93</u>

The nominal assets exceeded the liabilities in the sum of \$81,150 19.

Of the sum set down as due to depositors, \$34,571 64, at Little Rock, were on account of partial payments on notes discounted by the bank, and as a large proportion of the deposits at Batesville and the Post of Arkansas were probably of the like description, they constituted no active demand against the bank.

Of the condition of the notes, bills and bonds, which formed part of the assets of the bank, we have the following statements:

AT LITTLE ROCK.

Notes not due April 1, 1843	\$ 152,106 00
Notes past due " "	347,672 68
Bills of exchange past due	8,507 82

\$ 508,286 50

Notes in hands of attorneys for suit and collection	\$ 54,770 00
Bills of exchange do do do	17,272 08
N. Menefee, in hands of attorneys for allowance..	2,150 00

\$ 74,192 08

AT BATESVILLE.

Notes running	\$ 161,582 12
Judgments	32,648 47
Notes in suit	29,422 75
Notes in constable's hands	832 11
Notes retained by attorneys	15,875 75

\$ 240,361 20

AT THE POST OF ARKANSAS.

Bills and notes not in suit	\$ 152,886 25
Bills, bonds and notes in the hands of attorneys.	51,146 00
Bills under protest	24,582 35

\$ 228,614 60

AT FAYETTEVILLE.

Notes discounted	\$ 333,069 94
Domestic bills of exchange	3,319 69

\$ 336,389 63

Estimated amount of doubtful debts at Fayetteville,	\$45,074 00
do do desperate debts	25,500 00

The whole amount due by individuals was, including back interest:

At Little Rock	\$ 626,340 65
At Fayetteville	356,542 45
At Batesville	264,542 90
At Post of Arkansas	263,193 68
	\$1,510,619 68

On the notes and bills due to the bank, the annual interest was upwards of \$100,000.

On the other hand, the interest on the bonds issued and sold for the benefit of the bank, amounted to \$68,450 a year.

Such was the condition of the Bank of the State of Arkansas and its branches, at the time their affairs passed into the hands of receivers.

As there were about \$36,000 in specie at Batesville, and upwards of \$19,000 at Fayetteville, it was an object of some moment to preserve this treasure from the grasp of the judgment creditors of the bank. This gave no little concern, if we may judge from a letter which the financial receiver at Little Rock, on the 19th of July, 1843, addressed to the financial and executive receivers at Batesville:

“You will, of course, use every precaution not to hazard an attachment of the specie, and I think it would be well that some general concert of action should be taken on that subject. The governor promised to elicit all the necessary legal information and advise with us. He is, however, still absent at Fayetteville. The small amount, \$5,379 37, transferred by the Post of Arkansas branch, was in gold, and easily brought up in the receiver's trunk, without suspicion, at the time it was removed. But a lot of silver cannot be so quietly managed. And my present impression is, that it will be best to sell the silver, deliverable as wanted, in Batesville. But this is a mere opinion. And the united judgment of yourselves and the executive will best decide on the right way.”

At the principal bank at Little Rock, no less than 306 bills and notes were, between the 21st of September and the 24th of October, 1843, put into the hands of attorneys for suit; and both there and at the branches, such other measures were taken as it was thought would best secure the collection of the debts due to the bank. But so little success attended these efforts, that the whole amount collected up to October, 1844, a period of 16 months, was only \$159,111 04.

The smallness of the amount was owing only in part to want of inclination in the debtors to make payment. It was owing, in a great degree, to want of ability. About this time there was one of the greatest bank revulsions ever known in this or any other country. The bank note circulation of the United States, which was, according to the returns made to the treasury department, \$149,000,000 near the 1st Jan'y, 1837, was, by the first of January, 1843, reduced to about \$59,000,000. Such a reduction of currency no nation could sustain without the most disastrous consequences, especially as such reductions are always attended with a ruinous loss of confidence. The evil was felt most sensibly in September, 1842, when there was a terrible convulsion among the banks in New Orleans, the effects

of which were experienced throughout the Union. As has been said, "we then touched bottom, and we remained at the bottom till May, 1843." After that there was a gradual improvement; in some of the states a comparatively rapid improvement; in others a slow one; but in few, if any, so slow as in Arkansas. Being the last to embark in paper money banking, it was natural that she should be the last to recover from its ill effects.

The General Assembly commenced its fifth session on the 4th of November, 1844. The first subject to which Governor Drew, in his message, called their attention, was the Bank of the State.

He stated that but few of its notes were then to be met with in ordinary transactions, and recommended such an amendment of the liquidation act as would authorize the immediate receipt of state bonds in payment of debts due to the bank.

"You are aware," he continued, "that many of the debts are in a precarious condition. I have no doubt that a resort to harsh measures would, in a majority of instances, render collections still more difficult, if not impossible." In another place he speaks of "local combinations" having already been made "to interfere to some extent with the collection of debts due to the bank." And, again, in another place, of the "late floods of our rivers, which have proved so destructive to the crops, as to forbid the hope that any considerable amount of bank debts will, or can be paid during the current year, from the sales of cotton or other agricultural produce."

"Under these circumstances, I do not feel justified in advising any additional tax on the people, who are already very heavily burdened. And yet we are without the means in hand to pay the accumulated and still accruing interest upon our state bonds. This will not, I trust, and in justice should not be attributed to a spirit of repudiation. Our escutcheon has, so far, been preserved free from the stain; and I sincerely hope and confidently believe, it will be, in all time to come. Our failure to pay has resulted from inability, and not, I am sure, from indisposition to meet fully and promptly all our just liabilities. And I am equally sure, so soon as the requisite means shall be in our possession, none will have just cause of complaint of our delinquency.

"In view of our embarrassments it may be wise to consider of the causes which have produced them; for, if such a retrospect cannot remedy the evils of the past, it may serve as a salutary lesson in the future. And here we are met at the very outset with the now obvious imprudence on the part of our infant state, of incurring such an enormous debt for the establishment of banks, which, without the ability to create real elements of prosperity, gave fictitious values to every species of

property, repressed and retarded the development of the true resources of our soil and people, and at length exploding, have left us the crippled victims of visionary speculation. The pursuits of our people, and the condition of our country, just emerging from the wilderness, did not then, and do not now, justify the use of banking facilities, if at all, to the extent provided; and of which we availed ourselves, as it seemed, in a spirit of emulation of the extravagance of other states, rather than in accordance with our real wants and substantial means. The highly inflated state of the currency in all parts of the Union, at the time our banks went into operation, with the other causes I have mentioned, all contributed to lessen the value of each man's accommodations, while in the same ratio, it added to the debt contracted and to be paid now. Few, I apprehend, have ever been able to realize any profit from their so called accommodations, whilst almost every one has a loss to regret. In these I trace the present embarrassment of our state and people; and hence our inability to pay our debts. But while we cannot pay, we will neither deny or repudiate them. We only ask a little time, which judiciously improved, will enable us once more to stand before the world unembarrassed and out of debt. Sincerely entertaining these hopes, I confidently express them. From my knowledge of the character of the state, in regard to its people and resources, I know it has all the elements of true greatness and prosperity; and that these only require time, and freedom from embarrassment, for their full and successful development. And in this hope, I again urge upon you, and our common constituents, to learn wisdom from the severe ordeal of experience through which we have passed, and from which we are not yet free."

At this session, a memorial was received from Frederick Huth and other European holders of the bonds of the state, praying that prompt measures should be taken to insure the payment of the interest thereon. Of course, it was impossible, in such a condition of things as was described by Governor Drew, for the legislature to do anything effective.

The auditor, E. N. Conway, reported that, on the 1st of October, 1844, the interest due by the State Bank on account of eleven hundred and sixty-nine state bonds sold by it amounted to \$214,447 50, of which the sum of \$116,907 50 was payable in New York, and \$97,500 in London. The regular and undisputed interest due by both the State Bank and the Real Estate Bank, on account of bonds sold by them, amounted to \$504,507 50, of which the sum of \$377,807 50 was payable in New York, and \$126,700 in London. From this it appears that, if the European bond holders suffered, the American suffered also.

The auditor further reported, that he had "assisted the bank receivers and state treasurer, in comparing with the records and

burning notes of the Bank of the State of Arkansas and its branches amounting in the aggregate to \$1,007,760; and also in like manner in burning blank bank note impressions, amounting to \$3,152,070. The amount of all the notes ever issued by this bank and branches, is reported to this office to be \$1,216,900."

Certain parties, it is said, deeply regretted this burning of the notes, hoping that the day might come when "they would again be useful."

Very much of the time of this General Assembly was occupied with inquiries into the circumstances attendant on the sale of the state bonds, and with efforts to arrive at a knowledge of the exact condition of the State and Real Estate Banks and their branches.

The joint committee took "a memorandum of the notes whose drawers and indorsers had been indulged" at the principal bank; "and no good reason suggested itself to them why the discrimination should have been made."

A resolution was passed by the House, declaring that "there was just reason for believing that there had been gross mismanagement, or neglect of duty and favoritism," at Batesville.

A committee reported that "the receivers at Little Rock have substituted others in place of old debtors, to the amount of about \$140,000; but we have no means of judging whether these changes have operated to the benefit or prejudice of the bank."

By an act passed at this session, the office of executive receiver was abolished, and the duty of winding up the affairs of the bank, was devolved on the financial receiver, and an attorney at each office. By the same act it was provided that state bonds should be received in payment of debts due to the bank.

By the general appropriation act passed at this session, an entire change was made in the fiscal system of the state. This provided that all par funds then in possession of the financial receiver of the State Bank, or that might thereafter come into his possession, should be immediately transferred to the state treasury. These were to be used first in paying the members and officers of the General Assembly, what was due to them, and then to discharge such other liabilities of the state as had been incurred during the first quarter of the fiscal year, commencing on the 1st day of October, 1844. After that, if there should not be a sufficiency of par funds in the treasury, the treasurer was required to issue his warrants, bearing no interest, for the amount due to the public claimants. These treasury warrants were made receivable in payment of taxes or revenue due to the state, and also in payment of debts due to the State Bank and its branches.

All legal liabilities of the state incurred before the 1st of October, 1844, were to be discharged in such funds as the treasurer had then in possession. Thus two fiscal mediums were established; bank notes for liabilities incurred before the 1st of October, 1844, and treasury warrants for those incurred subsequent to that date. At this time, Arkansas bank notes were at 50 per cent. discount. As this act prohibited the receipt thereof in the payment of taxes, it had no tendency to enhance their value.

By another provision of this act it was declared that all funds in the State Bank in which the state had an interest, should be regarded, not, as heretofore, as part of the capital of the bank, but as a deposit in said bank to the credit of the state, to be drawn under appropriations made by this General Assembly.

Governor Drew returned the bill with his objections. It made, as he conceived, invidious distinctions among public officers and public claimants. There were but \$33,732 18 in specie, in the vaults of the bank, and every cent of this would be absorbed in paying the officers and members of the present General Assembly, and those public creditors who had rendered services between the 1st of October and the 31st of December. To meet the residue of the appropriations, it would be necessary, previous to the next meeting of the legislature, to issue over \$80,000 in treasury notes or warrants. Under the provisions of the bill, not one dime in specie would find its way into the state treasury, and the treasury warrants must, of necessity, undergo a great depreciation.

Notwithstanding these objections of the governor, the bill was passed by a constitutional majority of both houses, and became a law on the 10th of January, 1845.

Another and still more important measure was adopted by this General Assembly. It was taking the initiatory steps for such an amendment to the constitution, as would prevent hereafter the establishment of paper money banks within the bounds of the state. So far as can be gathered from the journals, the measure was unanimously adopted, or, at least, without a formal division on the main question in either the House or the Senate. The experience of seven years had convinced the people and their representatives, that this kind of banking, instead of being productive of the benefits its projectors had promised, was fraught with the greatest evils to the community at large.

In the records of the different boards for the years 1845 and 1846, we find nothing that here requires especial notice; excepting the following in the Batesville minutes, under date of April 13th, 1846.

"On this day Wm. C. Bevens, as financial receiver of the branch of the Bank of the State of Arkansas, at Batesville, and

Isaac Baker, as attorney of said branch bank, met as a board for the purpose of transacting the business of said bank:

“And whereas, it is believed by said board to be impossible by suit to collect debts due the bank, and that the institution of suits might tend to embarrass future action of the legislature in regard to this branch, and increase excitement and promote combination among debtors, it is therefore resolved, that the attorney return to the bank all notes of the bank in his hands upon which suits have not been brought, as well as all notes sued on and not filed in court.”

This was the branch, the directors of which had so indignantly repelled Governor Yell's charge of mismanagement. The greatest amount of bad debts that they would, in September, 1841, admit to be due to the branch was \$7,521, and of doubtful \$9,000. The events of the next two or three years, sufficiently revealed the true character of the mass of the debts due at Batesville. All that was collected there in two years, from 1st October, 1844, to 1st October, 1846, was \$9,155 04, and this was in paper depreciated many per cent. below par. The collections per annum hardly exceeded the interest that accrued in three months.

The General Assembly commenced its fifth session on the 2d of November, 1846.

“The energies of the state government,” said Gov. Drew, “have already become palsied. With an empty treasury for years, with a ruined state credit, and an apathy on the part of all to move in even the attempt to retrieve our credit, it has become my duty to present fully, not only the present ruinous state of our finances, but to assume the responsibility of pointing to the only possible remedy.”

“The financial history of the state exhibits a series of blunders.

“The first legislature, under the constitution, provided for the levy of one fourth of one per cent. upon the sworn assessed valuation of such kinds of property as that body saw proper to subject to taxation, which, when the assessment was made, discovered to the executive the prospect of a large surplus; and induced that officer to issue his proclamation for a called session, with a view to its reduction.

“At the called session [that of 1837-38,] the committee upon banks appear to have conferred with that on revenue, and immediately an idea was entertained, (and it must have prevailed pretty generally,) that the establishment of a state bank, the property of the state, afforded the means, and when once put into successful operation, would serve the purpose of freeing the people from taxation altogether! The levy was consequently fixed at one eighth of one per cent. and until the bank should have declared a sufficient dividend for that purpose, the

legislature authorized drafts to be drawn upon the surplus revenue of the general government, then deposited with the state: and which, in the body of the charter of the State Bank, was placed as so much capital, and upon the faith of which as a basis, the directors were authorized to issue the usual amount of circulation.

“It appears to have been at least doubted at the time, whether one eighth of one per cent. would be sufficient to meet the current expenses of the state government; as this provision for drawing on the surplus revenue affords abundant evidence. The legislature, by the unfortunate connection of the bank with the revenue of the state, set out in the establishment of a system which contained the seeds of its own destruction.

“The almost entire absorption of that fund, at or about the close of the last General Assembly, left the state no other means to meet the heavy appropriations then made for the current expenses of the government for 1845 and 1846, (and the payments out of which amount to the sum of \$107,231,) than the limited means afforded by a levy of one eighth of one per cent. on \$20,600,000 worth of taxable property, which produced a sum less than one half the required amount. The attempt at the late session to improve the finances of the state by the issue of treasury notes, calling them par funds, and requiring the payment of all public dues to be made in gold and silver or par funds, in place of worthless bank paper, without providing the necessary means to meet such requirement, was as futile as it was ill-advised.”

The receipts into the treasury for the two fiscal years ending October 1, 1846, were in all \$51,948, of which \$7,381 99 was in specie, \$20,392 19 in treasury warrants, and \$24,143 42 in Arkansas bank notes.

The governor dwelt at some length on the inconveniences of this currency. “If \$1,500 is a fair salary for a judge of the supreme court, and he receives that amount in scrip worth \$750 00, he feels himself at least disappointed when he recurs to that portion of the constitution of the state that provides that such salaries shall be neither raised nor diminished during his continuance in office. In the present state of our finances, his salary is subject to variation every week, dependent upon jobbers in this species of paper, that rarely ranges in the market above one-half of its face.”

“Should the legislature continue to pursue the ruinous policy of paying off that body, with its necessary expenses, ranging from twenty to thirty thousand dollars in these depreciated ‘promises to pay,’ without providing proper and present available means to sustain and give credit to this almost worthless paper—its further depreciation will be such as to sink the credit of the state beneath any stretch of calculation. For this pur-

pose nothing is plainer than the absolute necessity of augmenting the levy and extending the range of taxable articles. Should the representatives of the people be unwilling to assume this responsibility, they will doubtless feel the necessity of making the first move towards the abrogation of the state government, a government which ten years of experience will have proven, is now, and would at the outset have been impracticable, but for the fortuitous circumstances of the distribution by the general government of the surplus revenue among the several states."

In conformity with the recommendation of the governor, an act was passed extending the list of articles subject to taxation, and increasing the levy to one-fourth of one per cent. of the assessed valuation. This measure, in conjunction with a resolution declaring that all treasury warrants, whether issued for special or general purposes, should be receivable for *all* state dues, and thus, for lands as well as for taxes, raised the warrants nearly to a par with silver. Their previous rate of depreciation was from 40 to 60 per cent. This resolution was, at the suggestion of Mr. A. H. Rutherford, brought before the house, by Mr. Fletcher, of Mississippi county, at a late hour on the last day of the session, and was the last resolution adopted by that General Assembly.

Mr. A. E. Thornton, the financial receiver at Little Rock, stated in his report that, "when he came into office, he found that every dollar of the *specie* means of the bank had been exhausted, in consequence of which he had no little difficulty in meeting the demands on the bank. In some instances, the property of the bank had been sold under execution at a sacrifice, for want of funds to protect it; and in others, the receiver had been compelled to resort to the sale of Real Estate Bank paper, at the current price in the market, to provide *specie* means with which to redeem the real estate of the bank, meet incidental expenses," etc.

The joint committee on banks reported that they had examined the report of the financial receiver at Little Rock, and found it a true representation of the condition of the principal bank.

Governor Drew had suggested the propriety of calling in the branches, or of disposing of the assets of the bank to the highest bidder, for part in prompt payment, and the balance in one, two and three years. On these points, the committee differed from him. In their judgment, "the assets of the bank could not be brought into market at this time, without a serious sacrifice of the interests of the bank. The committee also believed that the branches could not be called in at this time, without a heavy loss to the state, and a great injustice to debtors of the branches."

The governor had, in his message, called attention to a correspondence between himself and the Hon. David Hume, a member of the British parliament, and a holder of a portion of the bonds of the State of Arkansas. This part of the message was referred to the committee on ways and means, and Mr. Gaines, on behalf of that committee, made a report, which possesses no little interest, as it shows that gloomy though the prospect then was, the doctrine of repudiation received no sanction from the people of Arkansas or their representatives.

"The bonds," said Mr. Gaines, "were issued for the benefit of the banks of this state, to whose management and means the legislature which authorized their issue looked mainly for the payment of the interest as well as their final redemption. The failure of these institutions to answer the ends of their creation, has been and still is a source of great regret and embarrassment to the state authorities, as well as to the whole people of the state, and although we now see and deeply lament the errors into which a former legislature went by authorizing their issue, yet the step has been taken by those to whom the people confided the legislation of the state, and the present is not the time to question the propriety of the measure; but the duty devolves upon us to remedy, if in our power, the evil already existing, and if possible to maintain the faith and ultimate credit of the state. In the first place, it cannot be denied that the era at which the acts authorizing the issue of those bonds was passed, was one memorable in the history of the commercial as well as the political world, for bank *manias* and speculative *stock-jobbing*, and it is not surprising that our predecessors, comparatively without experience in banking, should have been carried away by the fictitious appearance of things existing, while the most experienced and enlightened statesmen of the age were led into errors innumerable and irretrievable by the same bewildering influence. This unreal state of things, by which paper and bank credits were substituted for money, existed throughout the civil, political and commercial world, and in no part to greater extent than in our own country. At that period, confidence in the credit system prevailed to an extent which produced alike the downfall and ruin of private as well as public enterprise, and spread like a sweeping pestilence its disastrous effects throughout the length and breadth of our own beloved land. Arkansas, sparsely settled, destitute of wealth, except her native soil and hardy and industrious inhabitants, procured a credit in foreign markets, to which her limited resources did not entitle her, and which proved alike embarrassing and injurious to her, and to those who confided in her ability to meet her engagements. Her bonds were readily negotiated in the market not for specie or money, but for what was then *termed* par funds, which meant

bank credits, and which formed a part of the mushroom system then prevailing. These funds were placed to the credit of our banks in eastern cities, and soon merged into individual debts due the banks, and payable in their own issues. Soon after this, a general reaction took place in the United States, and indeed in the whole commercial world, by which credit was destroyed and confidence lost, and our state having neither wealth nor commercial advantages to sustain her banking institutions, they went down, and their paper ceased to answer the purposes of even an internal circulating medium, and in many instances, depreciated in the hands of the holders, and would not answer the purpose of meeting the accruing interest on the state bonds. Hence, as soon as the banks exhausted the small amount of specie which they retained from the proceeds of the sale of the state bonds, in paying the accruing interest thereon, they became unable to comply with the provisions of their charters, which required them to meet the interest on the bonds, to which provision the state, as well as the bondholders, looked with confidence at the time the sales of the bonds were effected. It is clear, from the reading of the charters, which were, before all the contracting parties, that the people did not anticipate a direct tax to pay the bonds. The state stood as collateral security for their ultimate redemption. The downfall of the bank left the people without a circulating medium, and generally much embarrassed, which embarrassment soon manifested itself also in the state treasury, which had been supplied by a tax collected from the people, under the then existing laws, in the paper of those institutions, which paper was greatly under par. The legislature has finally been driven to the necessity of refusing the paper of either bank for taxes, and on account of the present embarrassment of the treasury, had to resort to a much higher levy to meet the current expenses of the state, and arrears due, growing out of former expenses of the state government, which must operate oppressively on the people, in their present embarrassed condition. The object of the correspondence, on the part of the bondholders, is understood to be to ascertain whether the legislature will deem it their duty, under existing circumstances, to levy a direct tax on the people to meet the interest accrued and accruing on the bonds; in answer to which, your committee are of opinion, first, that neither the people nor the legislature which authorized the issue of the bonds in the bank charters, ever contemplated a direct tax to pay either principal or interest, *until the assets and means of the banks were, first, all applied to that object*; secondly, that such a tax would, at the present time, be extremely unjust, onerous and oppressive to the people, and would be more than they could well bear; and would tend greatly to retard the growth of the state, and thereby,

perhaps, forever put it out of the power of the state authorities to redeem the bonds. If it is the desire of the holders of the bonds to know what course the legislature are disposed to take in regard to these institutions, we answer that both of them have been placed in liquidation, with a view to wind up and secure their assets, which are to be applied to the payment of the state bonds issued for their benefit, and to no other purpose; and the officers of both institutions are authorized to take in payment of the debts due to the bank, the bonds of the state, or to exchange property with the holders of the bonds at fair and equitable rates. The process of liquidation has not yet absorbed the circulation, which is being paid in on account of debts due to the bank. Therefore the banks have not realized any available funds which could be applied to the payment of either principal or interest of the state bonds; nor can we, just now, look forward to the day when we may anticipate better funds. We look to the payment of the bonds as the ultimatum of all that is desired by the acts placing the banks in liquidation, after the circulation shall be absorbed; therefore we deem them good in payments, but have not the present ability to redeem them from the holders, except in the way indicated. If it be charged that the state is acting in bad faith to the bondholders, we reply that we have tried to preserve inviolate the means and assets of the banks, for the purpose of liquidating the claims against them, and the state bonds issued for their benefit; and it was to these means that all parties looked for the payment of the principal and interest at the time the bonds were negotiated. Candor compels us to admit that, after all the means of the bank shall be exhausted, there will still remain a considerable deficit, which must devolve on the state to provide for; but we leave the provisions for that object to be enacted by succeeding legislatures, who, it is to be hoped, may find the people of the state in a better condition to bear the burthens that may be imposed on them, than the present condition of things would justify."

This report, which was unanimously adopted, places in a clear view the relations of the people, the state, the banks and the bondholders, subjects in regard to which there has been much misconception. To raise by taxation the sum necessary to pay the interest on the bonds, was impossible. But the people of Arkansas have the consolation to know that, even in the darkest times of their adversity, their representatives never gave any countenance to the doctrine of repudiation. But on the contrary, did all in their power to give a value to the bonds in the market, by declaring that they should be received in payment of debts due to the bank.

The policy which the state adopted in the beginning of these difficulties, and which is so clearly set forth in the report, has

been steadily persisted in to the present day, and will, it is confidently expected, be persisted in, till the whole amount of both the principal and interest of the bonds shall be redeemed.

The most important measure of this General Assembly, was the completion of the amendment to the state constitution, declaring that,

“No bank or banking institution shall be hereafter incorporated or established in this state.”

In this measure the members of both houses united without distinction of party. The minutes read, “passed in the Senate by yeas twenty, nays none. Ratified in the House of Representatives, by yeas seventy, nays none.”

The General Assembly commenced its seventh session on the 6th of November, 1848.

“The revenue law of last session,” said Gov. Drew, “has answered fully the public expectation. It has realized all the favorable results anticipated by its most sanguine friends.”

While the revenue under the old law was only from \$25,000 to \$30,000 per annum, under the new it was upwards of \$70,000. Less than one-third of this was, however, in specie, during the fiscal years ending October 1, 1847, and October 1, 1848.

“The report of the financial receiver of the State Bank and of the secretary of the board of trustees of the Real Estate Bank, are referred to with more than ordinary satisfaction, as they each exhibit a more successful course in the accomplishment of the act of liquidation on the one part, and the assignment on the other, by the collection of a much larger amount than during the two years preceding their previous reports.”

Capt. G. Washington Patrick, who had been appointed by the governor an agent, to examine the State Bank and its branches, began this duty in May, and continued it up to the time of the meeting of the General Assembly. He visited each branch.

At Fayetteville, he found that lands had been received in payment of debts to the amount of \$42,404 40; but as most of these lands had afterwards been sold under execution to satisfy judgment creditors, the loss to the bank, in this way alone, amounted to nearly \$40,000.

The banking house and lot, which had cost some \$8,000, had been sold under execution for about \$800, and the bank officers dispossessed of the same.

At Batesville, he found bills, bonds and notes, amounting altogether to \$193,000; but on nearly half this amount, or on \$89,000, non-suits had been taken. The officers assured him “that the cases were dismissed at the cost of the bank, by the presiding judge, on points of law, over which the bank attorney had no control, and that it was not for want of skill, industry

and integrity, on the part of the bank attorney, that the bank was non-suited, and prevented in the collection of her debts, and involved in heavy damages in the shape of clerk's and sheriff's fee bills."

"The whole amount paid by this branch, for incidental expenses, from the 2d of February, 1847, to the 13th of July, 1848, as shown by the statement marked "B," including the accounts at law, is \$4,638 95. It is shown by said statement that only \$9,574 75, have been transmitted in cash assets to the principal bank. For the same time the bank has been at the expense of paying the salary of an attorney and financial receiver, at an annual sum of eight hundred dollars each; say both, for seventeen months, \$2,300, which has been paid by the principal bank selling real estate paper at a discount of seventy-five per cent., or \$8,200 real estate paper. Add these two sums together, and it will be seen that this branch has not collected enough to pay expenses of managing the same; and if carried on a few years at this rate, every solitary cent of the bank would be consumed, and still a debt be hanging over it for salaries to the bank officers."

At the Post of Arkansas, the books and papers of the late James M. Smith, were found to be "wholly inexplicable," and his successor, Mark Mitchell, "exhibited no books kept by him since he came into the office."

The whole amount due to the principal bank and the three branches, on notes, bills, bonds and other obligations, was set down at \$977,279 91; of which \$567,628 04 was reported good, \$176,569 02 doubtful, and \$233,082 88 bad. This was independent of back interest that had accumulated, and which was supposed to amount to upwards of \$250,000.

Mr. Trapnall, from the committee on banks, made report, that when the act of liquidation went into effect, in 1843, "the assets of the bank amounted to \$1,832,120 45, and were sufficient at that time to redeem the circulation and pay off the bonds. On the 6th of Nov'r, 1848, according to the reports, there was due for bonds \$1,486,847 50; the paper not yet redeemed is \$83,427; and according to the report of the agent, the whole amount of available assets does not exceed seven hundred and fifty or eight hundred thousand dollars, leaving a deficit of at least \$600,000, which will have to be raised by taxation out of the pockets of the people.

"This is owing, 1st, to the withdrawal, by the legislature, of the funds in the bank in 1842 and 1844, to pay themselves, and the ordinary expenses of the government, by which the bank was deprived of a large amount of money, and of the only means of defending herself against the judgments rendered against her, and by which all her real estate has been sold and sacrificed for one-twentieth of its value.

“And, 2d, that the Real Estate Bank paper has been sold at the market price to raise means to pay the salaries of the bank officers, and the expenses of the bank. In the last two years, the expenses, salaries, etc., have been \$13,425 36, for which \$50,191 of bank paper had been sold.

“To raise the \$9,500 appropriated for the rebuilding of the penitentiary, \$37,690 of the bank paper has been sold, without the authority of law, known therefor to your committee, and to pay for the printing of the acts, etc., of the last General Assembly, amounting to \$4,667 19 in good funds, \$18,149 36 of bank paper has been sold.”

Whatever may be the value of the bank paper in the market, every dollar of it in the vaults of the bank is a dollar to the state, and to raise the amount of \$13,425 34 for bank officers and expenses, \$9,500 for the penitentiary, and \$4,667 19 for printing, the means of the bank and the state to the amount of \$106,030 36 have been used.

“Much of the loss is attributable to the cumbrous and inefficient system of liquidation, and the number of officers employed in it, and to the negligence and carelessness which is the natural result of such a system.

“To protect the state from imposition, to guard the interest of the bank, to provide land-marks which might facilitate an examination of the bank, and above all, to furnish the proper officers of the state and legislature with the actual condition of the bank, at stated intervals, various laws have been passed from time to time, calculated and intended to effect that object. In requiring the notes of the bank to be burned when the sum of \$10,000 is on hand. In requiring the financial receiver to make a statement of the assets to the governor every four months, and fixing a severe penalty for its violation. On the 23d December, 1846, requiring the financial receiver to make out a list of the individual indebtedness due the bank, setting out the sum of every debtor, and whether the same was good, doubtful or bad, and have the same before the General Assembly at its next meeting, and fixing a fine of not less than a thousand dollars for a failure so to do. And one of still more magnitude and importance, requiring the financial receiver, in cases of redeeming or receiving state bonds in exchange, for bank notes, to cancel and file the same with the treasurer, and to file one of the treasurer's receipts with the auditor; and also that the financial receiver should take duplicate receipts from the person from whom any bonds are redeemed, showing the amount paid for interest on such bonds, one of which receipts he shall file with the auditor.

“The importance of complying with the laws, must be obvious to all. The provisions of the first mentioned have not been regarded, as the financial receiver says the committee to

burn bank notes did not meet. The provisions of the second were disregarded; because, as the financial receiver says, the governor did not make a requisition for the statement. But no valid excuse can be made for a failure to comply with the requisitions of the third and fourth last mentioned laws. And what appears equally strange to your committee is, that although within the last two years, the financial receiver has exchanged more than \$140,000 in bank notes for state bonds; yet no entry is made on the books of the bank, of the time of the exchanges, with whom the same was made, or how much was allowed for interest on the bonds. If the only effect of the failure to make an entry on the books of the bank of the exchange of notes for bonds, and to comply with the plainest requirements of the law, was to cause, in the minds of many, a suspicion that the financial receiver had not dealt fairly with the bank, or executed faithfully the high trust reposed in him, your committee would not advert to the subject. But the whole transaction relative to the exchange of notes for bonds, is a sealed book to your committee; and while they cannot say that the state is loser by this violation of law and common usage, yet the financial receiver has cut off every means of detecting an error, to use no harsher term, and preventing the committee bestowing a compliment, if he deserved it.

“It appears that the financial receiver exchanged notes, or in other words, *traded with himself* for bonds in exchange for notes, and, as in other cases, no record of the transaction was kept on the books of the bank. It also appears that the financial receiver has been extensively engaged in a brokerage of notes and bonds, and while your committee would not presume to interfere with the private transactions of an individual, yet they think the interest of the state would be best subserved by an officer who abstained entirely from all dealings in funds, and particularly from trading with himself.”

After a detail of particulars, which it is not necessary to introduce here, the committee concluded by stating that they are “satisfied that radical reform in the administration of the officers of banks, is imperiously called for; and that their officers should be compelled to perform rigidly the duties imposed on them, and no omission should be tolerated, and especially that buying and selling, and every species of brokerage should be emphatically interdicted.”

This report was signed by J. Gould, chairman of the committee of the Senate, and by F. W. Trapnall, C. P. Bertrand, E. H. Fletcher, and A. W. Wilson, the committee of the House.

Though this report censured very severely Mr. A. E. Thornton, the financial receiver, yet three members of the Senate and twenty-four of the House, declared in favor of re-electing him. On a second ballot, however, Mr. J. M. Ross received the

votes of eleven members of the Senate and thirty-eight members of the House, a majority of the whole, and was thus duly chosen successor to Mr. Thornton.

At this session of the legislature, a memorial was received from sundry holders of Arkansas bonds, principally residents in New York, praying that measures might be taken for the punctual payment of the interest.

"These bonds," they said, "it is known to all parties interested therein, were expected to be provided for by the banks to which they were issued by your state. But it was the plighted faith of the state, and it only, that enabled the banks to realize as they did, the full value of these pledges, and the full amount called for by them, and by the tenor of the bonds. The purchaser, and the present holders of those bonds have looked to the ability and to the honor of the state alone, for the return, at the appointed time, of the capital thus lent, and for the proper and regular payment of the installments of interest, they have been disappointed in this by a failure in the payment of interest since about the year 1841. They are fully aware that causes of disappointment then existed of such a nature as to relieve the state from censure and reproach; though the effect was painful in the extreme, distressing to all, and ruinous to many of the holders of these bonds. But those days of darkness to the national industry have passed off, and have been succeeded by others of liberal reward to all branches of industry, rendering it, we respectfully, but confidently suggest, imperative on the honor and moral integrity of each of our sovereign republics, to accomplish their engagements and to remunerate their creditors for the heavy burthen that has been put upon them by suspension of payments, which several of them made during the gloomy pecuniary revulsion which is past.

"Your memorialists earnestly entreat that you will not fail at this session of your legislature, to make ample provision for the prompt payment of the interest now and hereafter to become due, or if it is supposed inconvenient to pay the whole interest now due, that a law should be passed to fund the interest now due, and provide for the regular payment hereafter of the interest on it, and on the principal."

It was impossible for the legislature to comply with the request. It appeared from the report of the auditor, that the annual interest on the state bonds then unredeemed, amounted to \$153,670. The aggregate of interest due and remaining unpaid was \$1,108,172 50. If this had been funded at 6 per cent., it would have made a net annual charge of \$66,490 35; which added to the annual interest on the bonds, would have made a net yearly charge of \$220,160 35.

Under the new law, the revenue of the state had indeed been increased from between \$25,000 and \$30,000, to upwards of

\$70,000 a year; but this was but little more than was required to pay the ordinary expenses of the state government. And of this revenue, only about \$23,000 was in specie. The rest was in Arkansas treasury warrants, and other paper which had little value beyond the bounds of the state.

The public creditors asked the legislature to raise, by taxation, for their benefit, an annual revenue in specie, about eight times as great as the people had been accustomed to pay in depreciated paper. As already stated, it was impossible for the legislature to comply with this request; but so far were they from repudiating, that the following resolution, which was introduced by Mr. Berry, was passed by the House without a dissenting vote.

“Whereas, we are well assured that there is a settled determination on the part of the people of Arkansas, not to stain the political and moral character of the state, by repudiating her just public debts; and whereas, although the state is not now able to meet the demands of her creditors, yet the rapid increase of population, the springing up of her innumerable resources, and the advancing prospects of her agricultural interests afford the pleasing assurance that the day is not far distant, when she will be able to make some provisions for the gradual liquidation of her debts; therefore

“*Resolved*, That the committee of ways and means be instructed to report to this House the amount of the public debt, the annual interest thereon, and whether there are now any means accruing to the state, that may be applied to the redemption of the bonds.”

A joint select committee reported that they had canceled state bank bonds and coupons to the amount of \$156,286 36, and registered Real Estate Bank bonds and coupons to the amount of \$120,280. All these had been received in satisfaction of claims of the State Bank, and thus may be said to have commenced the formal liquidation of the debt of the state. Gov. Drew was anxious to hasten the good work, by receiving the bonds and coupons in exchange for 500,000 acres of land which the United States government had granted to the state for the purposes of internal improvement. But a committee of the legislature, to whom the subject was referred, reported that the grant had been made for a definite object, and could not, with propriety, be applied to any other.

After this reduction of the state debt, it would have required an annual tax of upwards of \$200,000, to pay the interest on what remained unredeemed, in the manner suggested by the holders of the state bonds. Of course, the legislature made no attempt to affect that which was evidently impracticable.

By an act, approved January 9th, 1849, it was provided that all the branches of the State Bank should be closed, and their

books and assets concentrated at Little Rock, retaining, however, an attorney at each branch. It was further provided, that in any suit instituted by the bank, the bank should not be ruled to security for costs, but the state should be liable to pay costs rendered against said bank. Some measure of this kind was necessary, as the State Bank had, in a multitude of cases, been non-suited, simply because, owing to its pecuniary embarrassments, it could not give security to pay the costs of suit.

In April, 1849, Mr. Ross commenced the discharge of his duties as financial receiver at Little Rock. A part of the legislature were dissatisfied with the conduct of his predecessor, A. E. Thornton, but so many continued to confide in his honesty, that on the first ballot he received more votes than any other candidate, one only excepted.

Mr. Ross had not, however, been many months in office before he discovered that Mr. Thornton had received some nine or ten thousand dollars which he had failed to account for. These amounts Mr. Thornton, when called on, paid up.

Further investigations showed that there had been various crooked dealings in relation to bonds. A full statement of these was laid before Governor Roane, on the 15th of October; and on the 18th the governor communicated the particulars to John J. Clendenin, esq., the attorney general.

Some fourteen days afterwards, Mr. Clendenin, in a letter to Mr. Ross, acknowledged having received through Governor Roane, his "report in relation to the defalcation of Abner E. Thornton, late financial receiver, and also preferring charges against him, for misdemeanor and fraud in office." Mr. Clendenin proceeded to say, that if civil proceedings were instituted they ought to be instituted by the bank, and that he had so informed Governor Roane and D. W. Carroll, esq., the attorney of the bank. "In relation to the criminal charges," continued Mr. Clendenin, "I deem sufficient has been shown by your report for me to submit the facts to the next grand jury of this county for their action. But it may probably be necessary that some steps should be taken before then to secure the attendance of Col. Thornton, and I have to suggest, if you think proper to do so, that an affidavit should be made by you, (as being cognizant of the facts,) before an officer, setting forth the facts, and requiring that Col. Thornton should be held to bail for his appearance before our next circuit court, to answer the charges against him."

To this letter which he received on the 2d of November, Mr. Ross replied on the same day: "As Col. Thornton left this city early yesterday morning, it is unnecessary that I should take any steps now to '*hold him to bail*' to answer the criminal charges set forth in my report. Neither do I believe it my duty to do so."

About a year after this, on the 4th of November, 1850, the eighth session of the General Assembly commenced.

"I have," said Governor Roane, "to congratulate you upon the prospect, under the present revenue laws, of our soon being relieved from that unfortunate system, forced upon us by necessity, of issuing treasury warrants; a system but little less unfortunate than the repudiated doctrines that banks are essential to the collection and safe-keeping of the public revenue of the country.

"Should the revenue laws now in force be continued, we have the hope before us, of once more seeing the revenue collected equal to all demands on the treasury; and our debts, except those contracted on account of our banks, extinguished. For the two years commencing with 1st of October, 1848, and ending with September 30th, 1850, the amount of revenue paid into the treasury was \$163,111 41; and the expenses of the state for the same period were \$135,761 46, leaving a balance of \$27,348 95, which was expended in redeeming outstanding treasury warrants, of which there still remain unredeemed \$16,259 38½, but which will be redeemed during the next two years.

"The time appointed by an act of the legislature, within which the Bank of the State of Arkansas shall collect her debts, and redeem her circulation, preparatory to making a final settlement of all her affairs, will expire in a little more than two years. By information derived from the able and elaborate report of the present financial receiver of that institution, we are enabled to form a very correct conclusion as to the conduct of those who have had the control and management of her affairs in time past, and to determine in what condition she will be found upon a final adjustment of her accounts.

"Judging from the facts thus presented, it requires no extraordinary degree of mental acumen, to determine that the history of this bank is but a catalogue of the grossest mismanagement and criminal negligence, (to use no harsher terms,) from the date of her charter until the present time, and that heavy loss to the state must be the consequence.

"To arrive at this conclusion, we need go no further back than the date of the act of liquidation, which, as I contend was conceived in error, and will result in misfortune. Among the numerous objections that might be urged against this law, not the least prominent is the unnecessary extension of time granted to the debtors of the banks. It is a well attested fact, that the longer a debt remains due, the lighter we feel the obligation resting upon us to pay it. This has been clearly exemplified in the case of the State Bank; and, in consequence of this very principle, thousands, if not hundreds of thousands of dollars, have been lost to the state.

“Consequent upon, and rendered necessary by this mistaken lenity, was engrafted upon the law another principle but little less destructive to the interest of the banks; the employment and pay of so large a number of officers. Their salaries, though small, taken separately; (too small in some instances to command the most competent individuals;) yet, when taken in the aggregate, the doubt may be reasonably entertained, whether their salaries did not amount to more than by their agency was recovered for the bank. In some instances these officers have been incompetent; in others criminally negligent; and, in one instance, that of Abner E. Thornton, absolutely dishonest.

“The evidence of their incompetency will appear on the records of our courts, where the bank has been not only defeated in the attempt to coerce payment, but left with a heavy bill of costs to pay; again, it will appear from their inability to so keep the books as to exhibit the transactions of the bank. The gross negligence will be found to exist in permitting more than two hundred thousand dollars worth of the notes due the bank to remain in their hands till they were barred by the statute of limitations. The dishonesty of Abner E. Thornton is manifested throughout his whole official career, exhibiting but a series of embezzlements and forgeries.”

From the best accounts Governor Roane could collect, he arrived at the conclusion that the two banks would leave a debt of about two millions to be paid by the state. “It may be more: it can scarcely be less. There is not a citizen, I apprehend, in the State of Arkansas, who is not prepared to acknowledge its justness, and concur with me in saying that the state is bound, by every principle governing contracts, to use all the means in her power to pay it to the last cent. The spirit of repudiation can find no advocates in Arkansas—no resting place in the hearts of her citizens. But the disposition and ability to discharge our liabilities, are two things: one we have—let us see what are our prospects for the other.”

The governor then took a view of the resources of the state. The taxes already levied “were oppressive upon the people, and submitted to only from the necessity of the case.” Such an additional rate as would be necessary to pay the interest on a debt of two million dollars, and discharge the principal in twenty years, would be “a burthen too enormous to be borne by any community, and one to which the people of Arkansas are, at this time, unprepared to submit.”

Mr. John M. Ross, the financial receiver, made an elaborate report, accompanied by tables, in which he gave the name of each man who was indebted to the bank or either of its branches, whether as principal or security, together with the amount due by him, and other interesting particulars.

The committee on banks reported, that of the debts due to the State Bank, \$267,186 81 were reported to be good; \$241,404 52 to be doubtful, and \$572,968 84 to be lost.

“ We may be assured that, of the \$1,081,560 70 now due the bank, the enormous amount of \$780,000 is irretrievably lost. That a portion of this has been owing to the deranged condition of the currency, and the consequent embarrassment of the country the committee admit; and that a part has been lost by reckless legislation, is beyond doubt; but that, in many cases, the great bulk of the loss is attributable to the criminal negligence and dishonesty of the officers of the bank, seems clear to the committee.

“ By failing to sue in time, and by indulging favorites, the bank, as stated in the message of the governor, has lost the enormous amount of \$200,000 by the statute of limitation; and a large part of the residue of this amount (\$780,000) has been lost by a uniform failure to attend to the security of the debts due the bank, by changing and taking inferior security; and, in many instances, by relieving friends, and men of wealth and influence, and taking men of small means and doubtful responsibility in their stead; and by the failure to enforce collections with proper diligence and energy; and this, your committee think is fully exemplified in the statement of the condition of the Fayetteville branch, where, of an outstanding debt of \$221,619 19, only \$35,243 68 is available, and the loss is \$186,375 51: five-sixths of the whole amount a total loss.

“ The history of the bank exhibits the most astounding instance of long continued mismanagement and open abuse of trust that ever occurred in a country of laws. This state of things has been brought about, to some extent, by a narrow policy and a mistaken idea of economy in giving small salaries to officers in high trust; to great indifference as to qualification in selecting officers; but more than all, to a total failure to examine into the conduct of these officers, and holding them to strict account.

“ The conduct of those who have the keeping and control of the public means and money, and periodical accounting by them, which is suggested both by prudence and experience as necessary to their security, seems to have been forgotten, so far as the bank officers were concerned. In the possession of vast amounts, freed from all restraints, every obligation seems to have been relaxed, and every law regulating their duty, set at defiance.

“ The law required that, whenever the amount of \$10,000 of the bank paper should be on hand, it should be registered and burned. The necessity of this law, and the necessity of enforcing it, is obvious. Yet large amounts of this money accumu-

lated in the hands of the bank officers, and for four years but little of it was registered and burned.

“ The law required that each one of the financial receivers should make quarterly reports to the governor of the amount and character of the assets in their hands. The necessity of this law is obvious too: to prevent the agents from using and speculating in these funds. Yet no regard whatever was paid to this most important law. An omission to do so subjected them to a penalty of not less than two hundred nor more than two thousand dollars.

“ Another law required them, when they received a state bond, to take of the person from whom it was received a statement of the date of the receipt, and the amount of interest computed, and to take the bond and statement at once to the treasurer, and have it canceled, and file his receipt for it with the auditor. The bonds were drawing 6 per cent. interest, and this law was passed to prevent the officers from receiving and holding the bonds, and defrauding the state out of the accruing interest. Yet no regard was paid to this law, and a large number of the bonds of the State and Real Estate Bank came to their hands which were held, some of them three or four years, and the interest calculated upon them up to the time they were turned over. The state was an immense loser by this operation.

“ Permitted to retain large amounts of money on hand for an indefinite time, having failed to make their quarterly statements with impartiality, no one seemed to notice or care about it, and seeing that a large sum could be made by getting and holding the bonds; and that in all probability they would never be called to account for it; untrammelled by sense of duty, obligation or law, they gave full scope to their cupidity. The paper of the bank had depreciated, and was fluctuating in value, and was generally in the hands of capitalists and speculators; and could not easily be obtained by the debtors of the bank. With the means of the bank, they [the officers] would purchase the paper and bonds and sell them to the debtors at an advance.

“ Thus they raised means out of the bank, with which they took advantage of the necessities and speculated on the debtors, and whilst they, on the one hand, gained immense profits out of them, they, on the other, robbed the state out of the accruing interest on the bonds.

“ And out of these double peculations, and taking all the other advantages which their position and means gave them, one of them, Thornton, in the course of four years, accumulated a large fortune, and although he was notoriously guilty of every offence that could be committed in the bank against the state and the law, and although the most conclusive proof was

furnished of the speculation and forgeries committed by him, yet he was permitted to remain unmolested for some time, at the seat of government, winding up his affairs, and at last permitted to leave the country openly without hindrance from any quarter. There seems to have been no one who felt it his duty to attend to the interest of the state and have him arrested.

“All the safe-guards thrown by law around this fund, for the security of the state, have been uniformly disregarded; and the consequence is an enormous amount irretrievably lost to the state. Almost every one interested with the offices of the bank has felt himself at liberty, in open violation of the laws, to use and retain its means. The checks provided by law not having been observed, it is impossible for the committee to make estimates.”

The report was signed by Thomas H. Bradley, chairman of the committee on banks, in the House of Representatives, and by Napoleon B. Burrow, chairman on the committee of banks in the Senate. Perhaps it is too sweeping in some of its charges. Some of the officers were, no doubt, guilty of criminal negligence, in not collecting what was due to the bank, and others rendered themselves obnoxious to censure by not paying over promptly what was collected by them. But we know of none, with the exceptions of Wm. McK. Ball and Abner E. Thornton, that can be charged with downright dishonesty.

In a special message which Governor Roane sent to the House, on the 18th of November, 1850, he said, referring to the charges made against Thornton:

“The day after these documents were delivered to the attorney general, I left the state, to attend a convention to be held at Memphis, to which I was a delegate. On my return, after an absence of two weeks, Abner E. Thornton had left the state. Learning that he had removed to the state of Louisiana, I made a demand upon the governor of that state for his delivery, and sent an agent to receive and bring him back. He could not be found, and is now, I am informed, in the republic of Mexico.”

In a special report, Mr. Ross stated, that the receivers at the principal bank and branches had disposed of \$127,197 16 in Real Estate Bank notes, for \$36,324 31, in specie, being a small fraction over 28 cents on the dollar. These sales were made to obtain the means of rebuilding the penitentiary, pay for the public printing, and defray various expenses of the trust.

A communication was received from the governor, enclosing a letter from James Holford, of London, one of the principal holders of Arkansas state bonds. In this letter, dated Little Rock, November 14th, 1850, Mr. Holford says:

“On looking over the balance sheet of the State Bank, it is

but too evident that there must be a very considerable deficit to meet the accruing interest and the final payment of the principal of the bonds loaned to it. Consequently, as the state must eventually pay all, and as the treasury is not now prepared for it, I would recommend that the wreck of the assets of this bank which can be collected, should be used in the payment of the accruing interest for the coming ten or twelve years, by which time the taxable property of the state will have so materially increased, that not only the interest, but the trifling amount for a sinking fund may be raised without increasing the present taxation."

Some have cast reproach on Arkansas, because she did not promptly satisfy the claims of the holders of the bonds. Mr. Holford, who visited the state, saw the true condition of things, and that nothing better could be done for "*the coming ten or twelve years*, than to apply the wreck of the assets of the bank to the payment of the accruing interest on the bonds." It was impossible for the legislature to follow his advice to the letter. But they have followed it in substance, by applying "the wreck of the assets of the bank, so far as they can be collected," to the payment partly of the principal, and partly of the interest, of the state bonds.

By an act, passed January 11th, 1851, the office of bank attorney was abolished, and authority was given to the receiver at Little Rock to employ special attorneys as occasions might arise.

The ninth session of the General Assembly began on the 1st of November, 1852. In addressing that body, Gov. Roane gave an interesting sketch of the early history of the state:

"Arkansas was admitted as a state into the Union in 1836, now sixteen years ago. Her territory was large, and her population, small in numbers and indigent in circumstances, possessed but few capabilities for properly entering upon the task of self-government. Situated on the west of the great Mississippi, beyond which the tide of emigration had not then passed, and indeed there was a large tract of unsubdued forest intervening between her and the thickly settled states, to be settled up before she could naturally expect to arrest the attention of emigrants, and her soil become the resting place of that mighty tide of human beings which has ever been tending westward since the history of man was written; during which time she had to remain in a state of probation, anxiously awaiting the coming of the people before commencing the work of improvement. At this time, she had but little over fifty thousand inhabitants, possessing but little enterprise, and less wealth; the latter making an aggregate of not more than fifteen million dollars.

"Thus illy prepared, Arkansas assumed the robes of sove-

reignty, and became a free and independent state, entitled to all the privileges, and assuming all the responsibilities devolving upon the oldest, most wealthy, and populous states in the Union.

“ To meet the expenses necessarily incident to a state government, onerous taxes were levied and collected from a people poorly prepared to meet the demand.

“ Just before or about this time, the land excitement had seized upon the minds of the western people, and, indeed, pervaded the community everywhere. As a consequence of this, a very large portion of our most valuable lands fell into the hands of non-resident speculators, precluding their purchase by actual settlers, and retarding the settlement of the country, the element most desirable to a new state.

“ At the same time, two banks were chartered by the legislature, and in order to procure a capital fund upon which to base their operations, bonds to the amount of \$2,827,000, were sold, for the redemption of which the faith of the state was pledged. Thus a heavy debt, with accumulating interest, was fastened upon the state during the first year of her existence.

“ The affairs of these institutions were intrusted to the management of inexperienced and unfaithful agents. Confusion, embarrassment and disaster were the inevitable consequences, and suspension of their business resulted. And, taking into consideration the history of the times, the fact that all the banking corporations of the south and west had, at that time, or immediately thereafter, suspended specie payments, and ceased to do business, it is very doubtful whether a widely different result were practicable, even under the most faithful and skillful management. Then followed the act of the legislature, by which these banks were placed in liquidation; and there is little doubt that, even then, their business might have been wound up with but little actual loss to the state, had not the ruinous policy been adopted of extending the time of payment to those indebted, to the extraordinary period of ten years; thus allowing all who preferred emigration to the payment of their just debts, time and opportunity to leave the state and carry off their property, the greater portion of which, in many instances, was purchased with the very money drawn from the banks.

“ To this false step and continued false management of these banks, may be attributed most of our misfortunes. Public confidence was destroyed, emigrants were warned away from our borders by threatened taxation to pay a debt which they had no agency in creating. Our legislators caught the infection, became sectional in their views, would not be convinced that Arkansas could manage with wisdom any enterprise, while under the control of the state; and the doctrine obtained that

it was the duty of each member to secure for his immediate constituents as great a portion of the public treasure as possible, upon the idea that there was no hope of ever extricating the state from her embarrassments.

“This is one side of the picture. Let us turn now to its other and brighter aspect. We have seen under what disadvantageous circumstances our state came into the Union, and by what errors and misfortunes, in the very morning of her existence, her energies were paralyzed, her enterprise fettered, and public confidence in her capabilities almost entirely destroyed. Yet such and so great were the natural resources and advantages I have ascribed to her, and which she really possesses, that emigrants from other states could not be turned away, and her population has increased in a ratio of almost unprecedented rapidity: that is, from 50,000 in 1836 to 97,000 in 1840, to 210,000 in 1850, and to at least 230,000 at this time (1852), an increase unequaled by that of any state of the same age. And her wealth, too, has increased in an equal ratio, that is, from fifteen millions to fifty millions, while her exports of the great southern staple, have rapidly risen from five thousand to one hundred and fifty thousand bales.”

In another part of his message, Governor Roane stated that the bonds issued for the benefit of the State Bank, and the interest that had accrued thereon, amounted to \$1,500,195, and that the notes still in circulation amounted to \$47,197 50. The debts due to the bank, supposed to be good, and the other available assets, amounted to \$582,962 00. “Showing that when a final settlement shall be made, there will be a balance due from the state of \$1,022,855 50, which she is bound, by every principle of honor as well as the law governing contracts, to pay.”

The deficit of the Real Estate Bank would, the governor supposed, swell the public debt to two million dollars, “with an accruing annual interest of about \$120,000.”

“I have no doubt that this debt could be founded upon liberal terms; requiring the state to take up her now outstanding bonds, and in lieu thereof issue new bonds payable at some future day; at the same time giving some security for the payment of the accruing interest upon the new bonds, which can be done by appropriating the assets of the bank for that purpose. In this way the first step will be taken towards the extinguishment of our state debt. And by the time the new bonds reach maturity, by pursuing a liberal policy in developing the resources of our state, we shall doubtless be able to pay the debt entailed upon us by our banks.

“By adopting this policy, our reputation as a state, may be shielded from the threatened taint of repudiation.”

Mr. Ross, the financial receiver, said in his report of October 1, 1852—

“On 1st October, 1850, the notes and judgments due the bank, with interest calculated up to that time, amounted to the sum of \$1,081,560 17. This was classed as follows:

Solvent.....	\$267,186 61
Doubtful.....	241,401 52
Insolvent	276,664 46
Lost	296,304 38

“The collections from 1st October, 1850, to 1st October, 1852, amount to the sum of \$178,628 75. This amount was collected almost entirely from debts classed as solvent. Not exceeding one-third of the debts classed as doubtful, will be collected. Between \$5,000 and \$6,000 of debts classed as insolvent have been compromised, and a portion of that amount collected. The balance will be lost. Of the debts classed as lost, \$417 01 have been collected.

“The amount that will yet be collected, will not exceed \$200,000.”

The committee on banks of the House of Representatives, reported that “they had consulted together as to the propriety of the legislature turning over into the hands of the state treasurer, all the books, assets, evidences of debt, etc., of the bank, and that discretionary power be conferred on him to wind up the same, with a due regard to the best interests of the state. But upon reflection and deliberation, the committee are of opinion that such an act, on the part of the legislature, would be, in effect, a merger of said bank into the state, and thereby destroy its separate corporate existence, and consequently result in loss to the bank, and thereby to the state, of whatever good debts still remain unpaid. Or, if such would not be the result, it would, at least, furnish new grounds of defence to the debtors, and thereby cause great delay in the collection of debts. Such being the opinion of the committee, they would beg leave, respectfully to suggest to the General Assembly the propriety of passing an act to extend the present law in relation to the liquidation and settlement of the bank, to a period of two years longer, in order that the amount of \$200,000 of good notes and judgments, before mentioned, as remaining uncollected, may be secured to the state.”

In conformity with this recommendation, an act was passed on the 12th of January, 1853, to extend for two years the act putting the State Bank in liquidation.

Before quitting the concerns of 1852–53, it is proper to observe that the public records of this year, contain the only indica-

tions that can be found of a disposition on the part of any of the citizens of Arkansas, to return to paper money banking.

The earliest of these in point of date is to be found in the report of C. C. Danley, esq., the auditor of public accounts, October 1st, 1852.

"The policy," he said, "of connecting state governments with banks is exploded, but it is thought that the subject of free or individual banking as a separate branch of business, would be eminently worthy the consideration of the legislature. In the language of an eminent financier—'Banks have lost their power, under the increase of private capital, and the immense accumulation of the precious metals, to raise and depress prices, by the capacity of expansion and contraction. The days of banks are over as associated companies. They will exist as private establishments, and the change will be of incalculable advantage to the public.' Banking as a monopoly, and when it is confined by law to a privileged few, is obnoxious to objections, and repugnant to the genius and spirit of the age in which we live. But no reason can be shown why a citizen should be restrained by law from banking as a business, any more than that laws should be passed to restrict the business of selling merchandise, or raising corn or cotton."

If by banking be simply meant, receiving money on deposit, discounting notes of hand, and dealing in bills of exchange, certainly "no reasons can be shown why a citizen should be restricted therein any more than in the business of selling merchandise, or raising corn or cotton." But if, with the business of banking properly so called, be connected that of issuing promises to pay intended to pass as substitutes for metallic money, *such* banking must sooner or later be productive of great evils to the community. By every paper dollar it issues it drives a gold or silver dollar out of circulation. Nor is this all. For a natural system of credit, it substitutes an artificial one, by which debts are multiplied to an extent much exceeding the advantage gained.

We have not the name of the eminent financier, who said "banks have lost their power to raise and depress prices by contraction and expansion." But recent events have shown that he is, to say the least, greatly mistaken. If other things be the same, and the power to issue small notes be retained by the banks, "widening the specie basis," only facilities raising higher the paper superstructure. If, of late years, the expansions and contractions of the banks have been less frequent and less deleterious than formerly, it is owing wholly and solely to the operation of the constitutional treasury system of the United States. That, by checking the banks in their expansions, causes their subsequent contractions to be less injurious

than they otherwise would be. But, unfortunately, it only checks the banks. It has not the power to control them.

Towards the close of his message, Governor Roane entered somewhat at length on the consideration of the subject.

“We have no monetary institutions among us; yet our state is flooded with the paper currency of her sister states; thus subjecting ourselves to be imposed on by spurious and unsound banking institutions abroad, about which we know nothing, and in their management can have no hand, rather than trust ourselves and institutions of our own. It is susceptible of demonstration, that the citizens of Arkansas pay, in the shape of discounts, exchange and interest upon foreign bank paper, more than sufficient to discharge our entire state debt in a few years.”

It is a matter beyond dispute, that so long as the other states have a false monetary system, Arkansas must suffer more or less from it; but it does not thence follow that she will diminish her sufferings by establishing a false monetary system of her own. None of the citizens of Arkansas pay discount or interest to the banks of Louisiana, Tennessee or any other state, unless they borrow from them, and if they borrow they ought to pay.

The chief danger to which we are exposed from the foreign bank notes in circulation among us, is that they will depreciate in our hands, if not become entirely worthless. But we are less exposed to this danger than the people of any other state. In Texas, one of the states adjoining us on the south, there is but one bank, and that has a very limited circulation. Our other southern neighbor, Louisiana, has banks a plenty; but none of them issue notes of a less denomination than five dollars, and all such of their notes as reach us, are soon carried back to New Orleans in the regular course of trade. On the west we have the Indian territory, where the United States government disburses large amounts of gold and silver, much of which must find its way into Arkansas. On the north we have Missouri, none of the banks of which state issue notes of a less denomination than five dollars. One of the states opposite to us on the east, Mississippi, had, in the year 1840, thirty-eight banks with a circulation of \$15,171,639. Now, (the Northern Bank at Holly Springs having failed,) she has but one or two small banks of issue, the notes of which seldom if ever reach us.

The chief danger to which we are exposed is from the banks of Tennessee, many of which, if they be not now ricketty concerns, are very different from what they used to be. Perhaps some of our citizens cannot conveniently avoid taking Tennessee and other bank notes from “movers” and other travelers passing through our state, or along our borders. But if the

farmer or planter who receives such notes promptly pays them over to the merchant, and the merchant promptly sends them out of the state in payment of his purchases, these bank notes will, to that extent, become substitutes for private bills of exchange, and in this way do no evil. It is when they become substitutes for gold and silver coin, that would otherwise circulate, that bank notes are objectionable.

The notion some entertain that the people of Arkansas are paying interest on the whole mass of foreign bank notes in circulation among them, is an erroneous one. If an Arkansas man sells his corn or his cotton, and gets in exchange for it Tennessee bank notes, and then retain those notes on hand for a year, he is not paying interest to the bank that issues the notes; but he is failing to receive the interest that would have been due to him, if he had obtained in exchange for his corn or his cotton, the notes of hand of some private individual. By the contrivance of nominal convertibility, and by the additional contrivance of issuing their notes in such amounts as adapts them to circulation, the banks invert the natural operations of credit, and instead of paying, receive interest on the debts due by them. But this interest is not paid by the mass of the community. It is paid by those who borrow directly from the banks. The inconveniences the mass of the community suffer, come in other and indirect ways.

For such evils as the people of Arkansas really suffer from the circulation of foreign bank notes among them, they have the remedy in their own hands. It is simply to refuse to receive them, or, if that in all cases be not practicable, let it be a rule to send them out of the state as soon as possible. Establish "free banks" in Arkansas, and a large portion of those so called "free banks" will become little better than so many machines for circulating in our midst, the notes of banks in distant states and territories. It is by such subterfuges that "free banks" live.

"I am not," continued Governor Roane, "uniformed as to the extreme sensitiveness of our people upon the subject of all associations with banking privileges, and therefore approach the subject with great care. Perhaps, were I not so thoroughly convinced that the best interests of our people demand something of this kind, I would yield my own convictions to the opinions, if not prejudices of others, and leave this subject to the consideration of my successors.

"I am utterly opposed to all banking institutions, whether of a national or state creation, dependent upon, or, in anywise associated with the state or federal government, as well as other chartered institutions, operating upon a capital which remains within the exclusive control and management of the institution itself, and thereby confiding, without sufficient secu-

city, the interests of the community to their hands. This is not the case under the system of 'free banking' to which I now allude; nor can I see that the objections which have rendered banks of every description, under the old system, so justly odious, can obtain against the proposed system of 'free banking,' so eminently successful in answering all the objects claimed for them in other states. It would be well to bear in mind, that the resemblance between the system of 'free banking' and those incorporated institutions with which we are more acquainted, and from which we have suffered, ceases with the name; the one being liable to all those objections so justly urged against irresponsible monopolies, while the other is purely an individual enterprise, claiming and possessing no privileges which may not be enjoyed by every member of the community, clothed with the power to do much good by granting accommodations to individual citizens, and affording facilities to the commerce of the country without the ability to involve the state to the amount of one dollar; for she will be in nowise connected with, or responsible for the acts and doings of those institutions, and equally without the power to defraud the people, or inflict upon them an irredeemable and depreciated currency. To guard against these evils of the old system, and to protect the interests of the people against such abuses, ample security, in the shape of undoubted stocks, or other substantial means, are required to be deposited with such individuals or state officers as the act may indicate, with power to sell without delay, whenever the bank shall fail to redeem her circulation or meet her other liabilities. Thus it is manifest that every interest, in the slightest degree involved, is amply secured against loss; while a circulating medium, convenient in itself, safe in every respect, and current everywhere, can be furnished to our own people, within our own state; the interest paid for accommodations kept at home, and Arkansas made the recipient of those profits that are daily poured, by her citizens, into the coffers of other banks and other treasuries.

"In conclusion, without going into the discussion of this subject at length, I would recommend the encouragement of insurance companies in our principal cities; and the passage of a law authorizing the establishment of the new banking system, upon a secure and well guarded basis."

In justice to Governor Roane, it should be borne in mind that when he wrote these remarks, the system of "free banking" had been very imperfectly tried. Experience has since shown that it is only the old paper money evil under a new phase. Considering the comparatively short period it has been in operation, the "free banking" system has been the instrument of as much fraud and as much wrong, as the corporate system. The

fundamental objection applies to both; that they substitute artificial for natural credit, and false money for true.

There was a constitutional obstacle to carrying into effect the measure recommended by Gov. Roane. This Mr. Huey sought to remove by the following resolution, which he submitted to the Senate:

“Resolved by the General Assembly of the State of Arkansas, That the following amendment be proposed to the constitution, viz:

“The legislature of this state shall have power to pass laws allowing the exercise of free banking privileges.”

In the House of Representatives, a report having the same object in view, was made by the committee on the judiciary.

The result was, the passage of “an act to take the sense of the qualified voters of this state, for and against a call of a state convention to modify and reform the present constitution of this state,” one of the proposed “reforms” being the authorization of “free banking.” The people, however, refused to call the convention, and the provision “that no bank or banking institution shall be hereafter incorporated or established in this state,” is still part of the constitution of Arkansas.

It is to be hoped that this provision of the constitution will long remain without change. The security “free banking” holds out is an illusion. At the very moment when the state stocks and bonds and mortgages, which are pledged for “the ultimate redemption” of bank notes are most wanted, they prove least available.

The system has now been in operation in the State of New York for some twenty years, and the superintendent of the banking department of that commonwealth in a report dated in 1855, bears the following testimony in relation to it:

“There has been no bank failed in this state, having a circulation secured *wholly* by public stock of this state, [New York], and of the United States, the circulation of which has not been redeemed at the par value thereof, and in like manner without interruption, so that the notes lost nothing of their efficiency and value in circulation until actual redemption.

“On the other hand, during the existence of the system, [commencing in 1838,] there has only been a *single* instance in which the circulation of a failing bank has been redeemed at par, when the circulation was secured by bonds and mortgages, and *not any* where it was secured by the stocks of other states. In such cases, also, the failure has been invariably attended by at least a short space of time, during which redemptions were not made while awaiting the sale of the securities. The notes in the meantime losing their value as a circulating medium, have been disposed of at *great loss* by the timid and necessitous.”

Here, we see, that in New York, where the system began, "ultimate security" has been found only in New York state and United States stocks. No such security has been found in the stocks of other states, or in bonds and mortgages.

Equally striking is the testimony of the auditor of the State of Indiana, in his report of November 1, 1856, in which he refers to the "free banking" law of that state, of May 28, 1852:

"Within the first two years of its operation, nearly one hundred banks were organized in this state, with an aggregate circulation of over nine and a half millions of dollars. A large portion of the capitalists who selected Indiana as the theatre of their transactions, were citizens of other states, who detected in the loose meshes of the law the opportunities of speculation, and the loop-holes of escape. Their sagacity was manifested in the selection of their points of business—points almost inaccessible to the broker, where neither commercial, mercantile, nor mechanical pursuits existed to require their assistance. To what extent the mania of free banking would have been carried, but for the bursting of the bubble in 1854, can only be imagined, but we may well suppose that at the rate it progressed, Indiana could have furnished the commercial world with currency. The decline of the system was quite as rapid as its rise."

Other testimony in regard to the bad working of the "free banking" system in other states might be given, but it is presumed not to be necessary. It may *modify* the evils of the old system. But it only modifies; it does not remove them.

It was on the 2d of November, 1852, that Gov. Roane sent his last message to the General Assembly. His successor, E. N. Conway, was installed on the 15th of the same month.

In his inaugural address, (November 15th,) and in his first message, (November 27th,) Gov. Conway took the stand which he has ever since firmly and consistently maintained:

"That the burdens of taxation may fall lightly on the people, we should observe and enforce rigid economy and strict accountability in all agents and departments of the government. That we may establish the credit of the state on an elevated basis, we should avoid any new debts beyond our ability to pay them punctually and honestly. Such debts as the state now owes should be paid as early as she can command the means, without oppressing the people."

"We should, with great care and vigilance, guard the money and lands of the state from being squandered; and should secure their faithful application to the objects for which they were intended, in such manner as will best promote the interests of the whole state."

Such was the language of the inaugural address. That of the message was like unto it:

“ Since the state has not the means to pay, at present, even the interest on the bonds issued to the banks, it is fortunate that those issued to the Real Estate Bank of the State of Arkansas, will not be due until the 26th day of October, 1861, and that the six per cent. bonds issued to ‘ The Bank of the State of Arkansas,’ will not be due until the 1st day of January, 1868, and that the five per cent. bonds issued to this bank will not be due until the 1st day of January, 1887. ”

“ Each bank is bound, and its assets set apart, to pay the interest on the bonds issued to it, and also the bonds, when due.

“ The assets of each bank should be guarded with vigilance, and those having them in charge, held to strict accountability, so that every dollar may be sacredly applied towards extinguishing the debts.

“ When the assets shall have become exhausted, we will then be enabled to count and know the deficit, and may then adopt such measures as will secure its payment without oppressing the people.

“ It seems to me that past experience should warn us from the policy of staking the faith and credit of the state a second time on these miserably insolvent banks.

“ I recommend that these institutions be thoroughly investigated, and should abuses exist, that such legislative action be adopted as will correct them.

“ It will require all the prudence and good management we can use, to relieve the state from the embarrassed condition to which the banks have brought her. We must not only be economical in expenditures, but with sleepless care, guard all the means we have.”

The tenth session of the General Assembly began November 6, 1854.

“ The reports of the auditor and treasurer,” said Governor Conway, “ contain much valuable information relative to the fiscal affairs of the state, and also recommendations worthy of your consideration. By these reports it will be seen that the state debt, for warrants issued by the treasurer to defray ordinary expenses of the state, and which amounted to \$175,751 74, was all paid during the last two fiscal years, except \$371 76; and that, on the 1st day of October, 1854, there remained in the treasury, subject to be used for ordinary expenses, a balance in specie of \$29,514 29.

“ With prudence and economy in all the departments of our government, the present revenue laws will bring into the treasury, means amply sufficient, after the 15th day of May, 1855, to defray the ordinary expenses of the state in the constitutional currency of gold and silver.”

This marked the commencement of a new era in the fiscal history of Arkansas. The governor regarded it with calm

satisfaction; but the state treasurer, Mr. J. H. Crease, could not conceal his feelings of exultation.

“ Before proceeding further, allow me to indulge a feeling of state pride, in pointing out the fact of a specie balance remaining in the treasury, after redeeming all the outstanding treasury warrants, a circumstance which has not occurred (to my recollection) for several years past, and it is devoutly to be hoped that a necessity for the state to issue any more ‘ promises to pay,’ may never again occur, at least to meet the ordinary expenses of the state government.”

“ By bad management of the banks,” said the governor, “ the faith and credit of the state have received a wound which has retarded her prosperity; but by judicious administration of our public affairs, time will heal the wound again.

“ The State of Arkansas will never repudiate her just debts. She will honestly pay them all whenever she can command the means. When the bonds of the state were issued to the Real Estate Bank of the State of Arkansas, it never was intended that the people should be taxed to pay the bonds or the interest on them, but on the contrary, as required by law, the stockholders (for security to the state and to the bondholders for the payment of the bonds and the interest on them,) mortgaged to the state 187,810 acres of land, valued by commissioners, under oath, at \$3,380,772 38. These lands embrace many of the best and most valuable plantations in the state. The state has not yet resorted to these mortgaged lands to raise money to pay the interest due on the bonds; and it is deemed safe policy to let them remain undisturbed until the large amount of assets placed in the hands of the trustees, under the deed of assignment, shall have been accounted for, and every dollar which can be realized from the assets, sacredly applied towards paying the debts of the banks. After the assets shall have been accounted for, and so applied, the balance of the debt could be ascertained, and proper measures adopted to secure the honest payment of every dollar of it, without resorting to taxation for that purpose.

“ The office of financial receiver of the Bank of the State of Arkansas became vacant on the 31st of August, 1854, by the death of John M. Ross. To fill this vacancy, the executive, on the 4th day of September, 1854, appointed Peter T. Crutchfield.”

The net amount of the liabilities of the State Bank were estimated at \$1,180,911, “ to meet which, the remaining assets of the bank, including lands and town lots, which have been taken by the bank in payment of debts, and the conveyances thereof taken to the state are liable. It is impossible now to state how far the proceeds of the assets, and of the lands, and of the town lots, will go towards extinguishing this debt. But,

after collecting and applying all that can, by good management, be derived from these sources, we can then ascertain the balance of the debt, and adopt suitable measures for paying every dollar of it without oppressing the people. It is believed that the assets of the Real Estate Bank, if properly accounted for, collected and applied, together with the proceeds of the lands mortgaged by the stockholders to the state, as security against loss, will, if prudently managed, extinguish every dollar of the state's liability on account of the Real Estate Bank. Then the only debt of the state, on account of the banks, which will remain without adequate means to pay it, will be the balance of the debt of the State Bank, which it is believed, will be less than one million of dollars."

"Although, by bad management of the banks, the faith and honor of the State of Arkansas have been tarnished, time, with a prudent administration of our government, will, in a short period, restore them to their original brightness and lustre.—Then patriotic citizens will point to the past history of evils, brought upon the state by the banks, and the people will be warned from a policy which would again bring upon themselves loss, and upon the credit of the state dishonor."

Mr. Crutchfield, the financial receiver, in a report dated Oct. 31, 1854, introduced the following remarks:

"There is still a large amount of good, solvent debts yet due the bank; and out of that amount, a large portion has fallen on securities, the most oppressive kind of debts. In view of these facts, and in view of the general and disastrous failure of the crops this year, as well as the great stringency in the money market, I would respectfully recommend an extension of the liquidation act for two years, which expires on the 12th day of January next, in order to enable the debtors to this bank to purchase state bonds with which to pay their debts. As it has heretofore been considered a wise, good and honest course for the state to take up her bonds, sold in good faith, by all fair means within her power, (for a different sentiment on this subject, I believe no honest man has yet had the hardihood to avow,) a re-enactment of the law I have recommended, would greatly foster that policy heretofore pursued, by aiding the state to pay her indebtedness."

In conformity with this recommendation, an act was passed, extending for two years the time for winding up the State Bank.

The eleventh session of the General Assembly began on the 3d of November, 1856.

"By the reports of the auditor and treasurer," said Governor Conway, "you will see that there remained in the state treasury, on the 1st day of October, 1856, subject to be used for the ordinary expenses of the state, the sum of \$142,154 22, in gold

and silver, and that all the Arkansas warrants ever issued had been redeemed, except \$198 00 not presented for payment."

The internal improvement fund, and the saline and seminary funds (both appropriated to the support of common schools) increased the specie in the treasury to \$176,129 54. In addition there was, in Arkansas bank notes, the sum of \$16,490, which, said the governor, "should be registered and burned, and hereafter, should notes of the Bank of the State of Arkansas be paid into the treasury, provision should be made by law for registering and burning them, so that we may get rid of them as speedily as possible, and have nothing in the treasury, called money, but the constitutional currency of gold and silver."

"You will," continued the governor, "see by the reports of the auditor and treasurer, that, during the two years ending with the 30th of September, 1856, there were canceled and filed with the state treasurer, 183 bonds of this state which had been issued to and sold by 'the Bank of the State of Arkansas,' amounting, with interest to \$333,146 28; and that, during the same period, there were canceled and filed with the state treasurer, 370 bonds of this state and many coupons for interest on such bonds which had been issued to and sold by 'the Real Estate Bank of the State of Arkansas,' making for the bonds and the interest \$755,507 10; showing that \$1,088,653 39 of the debt of the State of Arkansas, on account of the two banks, was canceled and filed with the state treasurer (as fully paid off,) during the two years ending with the 30th of September, 1856."

Inasmuch as previous to September 31st, 1854, two hundred and thirty-seven State Bank bonds, amounting, with the interest on them to \$328,166 61, had been canceled and filed with the treasurer, the whole amount of both State Bank bonds and Real Estate Bank bonds, with the interest on them, thus canceled and filed, amounted, on the 30th of September, 1856, to \$1,416,820 00.

"The Bank of the State of Arkansas belongs to the state, and there never were individual stockholders concerned in it. From the beginning to the present time, it has been controlled and managed by officers elected by the General Assembly of the state.

"By the sale of state bonds, the capital of the bank was obtained. By the terms of the charter, the bank was bound to pay the interest on the bonds sold, and also to pay the bonds when due. To meet these liabilities, the assets of the bank were appropriated by law. No other fund was appropriated, for the state had none: but the faith and credit of the state were pledged for the payment of the interest, and the bonds, when due. To this extent the honor of the state was confided

to the keeping of the Bank of the State of Arkansas. The bank soon failed and tarnished the honor of the state, by leaving the interest due upon the bonds unpaid. In January, 1843, the General Assembly passed an act to place the bank in liquidation. Since then, more than thirteen years have elapsed, and it is represented that the affairs of the bank are now so complicated that they cannot be understood, and the whole of the assets ascertained, without much labor and a thorough investigation.

“ Deeming it essential to the interest of the state, that the affairs of the bank should be thoroughly investigated, the executive, a short time since, caused John H. Crease to commence the work of examination. By a communication from him, dated October 1, 1856, it is believed you will be fully impressed with the public necessity of having the true condition of the bank ascertained, and the interests of the state connected with it, secured as far as possible. * * *

“ The policy of the executive is, to have the assets collected as far as possible, and every dollar faithfully applied towards paying the debts of the bank. To accomplish this, the investigation of the bank is absolutely necessary, and he has directed that it be prosecuted until completed.”

“ Although the state has succeeded in establishing and acting upon the sound and commendable policy of receiving for revenue, and paying out for expenditures nothing but the constitutional currency of gold and silver, she is still encumbered with a large part of the debt brought upon her by the bad management of the banks. But with prudence, skill and economy in protecting the interests, and in administering the affairs of the state, aided by increasing population and wealth, we shall be fully able by the time our state bonds fall due, to pay every dollar of the debt, without oppressing the people by taxation.”

The joint committee on the auditor's and treasurer's books, burned \$16,495 dollars of “ Arkansas money” that they found in the treasury; that is to say, this amount of Arkansas Bank notes. They also burned 2,656 copies of State Bank bonds, and 980 of Real Estate Bank bonds, each for one thousand dollars. These were in various stages of preparation for sale, but none of them had been actually sold.

The financial receiver, Jas. F. Fagan, esq., reported under date of October 1, 1856, that of the immense amount of debts due to the bank, only \$35,000 would probably be collected. In addition, the financial receiver reported that he had on hands \$216,845 in Real Estate Bank bonds, coupons and notes, and \$913 55 in specie, making a total of \$252,758 55 of assets.— On the other hand, the liabilities of the bank for bonds outstanding and the interest thereon amounted to \$1,420,488 36, showing an excess of \$1,167,729 81 of liabilities over assets.

The legislature passed an act extending for two years the time for winding up the affairs of the bank, another conferring on the governor the power to appoint a financial receiver, and making the land attorney, the attorney for the bank; and another giving the accountants such powers as were necessary for a thorough investigation of the institution.

We have given the history of the Bank of the State of Arkansas in the words of its own managers, and of those who were the eye witnesses of their proceedings. The bank itself must soon go out of existence, and all its records be committed to the moles and the bats: but its memory ought not to perish. It has cost the people of Arkansas dear, but the experience they have acquired will be cheaply purchased, if it prevents hereafter the establishment within the bounds of the state, of other systems of false money and fictitious credit.

But it is not in this point of view only that this history is important. Those who have purchased the bonds of the state, and who have been disappointed in not receiving the interest thereon punctually, may here see the causes of their disappointment. They are primarily, mismanagement and misfortune on the part of the officers of the bank, and absolute inability on the part of the people of the state to comply literally with their engagements as expressed on the face of the bonds. Crushed to the earth by the paper money revulsion, it was with difficulty the people could defray the ordinary expenses of the state government. The revenue of the state was for years in succession collected for the most part in Arkansas bank notes and Arkansas treasury warrants, which had but little if any value beyond the bounds of the state, and an ever fluctuating value within its bounds. In this wretched paper medium, depreciated at times to 66 per cent. if not more, below par, the judges of the courts, and all the other officers of state, from the governor downwards, had to be content to receive their salaries. It required at times, no little financiering to acquire specie enough to pay postages.

Yet it is worthy of remark that even when the prospects of the state and the people were most gloomy, the doctrine of repudiation never received any favor among them. This is a credit due to the people of Arkansas without distinction of party.

Another thing well worthy of observation, is the steadiness of the policy that has been pursued in relation to the state debt. While the people and their constituted authorities have always acknowledged the obligation of this debt, they have from the beginning steadily maintained that as the debt had been incurred solely for the benefit of the banks, the assets of the banks should, in the first place, be applied to the liquidation of the debt, so far as they will go, and, after that, such further measures be taken as may be necessary to preserve the honor and

credit of the state. If the present hard money system of the state be maintained and if the plan for winding up the banks be persisted in, it is believed that the increase of population and of solid wealth under it, will be so great, that the state will in due time be relieved from all its embarrassments..

According to the table on page 703, the total assets of the bank and its branches, amounted, at the time they were transferred to receivers, to \$1,991,174 12. Omitting for the present the loans and discounts, and other sums due from individuals, these assets may be said to have been disposed of as follows:

The loans to the State of Arkansas, the five per cent. bonds issued to the Real Estate Bank, for money loaned by it to the state, and redeemed by the State Bank, and the sums due by the state treasurer, amounting in all to \$196,117 18, were used in adjusting accounts with the state.

The specie, \$62,948 93, was all expended in paying those creditors who obtained judgments against the bank, and in defraying the expenses of the bank and of the state.

The specie in the hands of Sylvester, New York, was used in satisfying a judgment against the bank, in favor of Riggs & Co., of that city. This judgment was obtained on a certificate of deposit of Arkansas bank notes, issued by the branch at Fayetteville, to Alfred Wallace, a former director of that branch. Mr. Wallace having found out that the silver was in the hands of Sylvester, appears to have made the deposit of paper for the express purpose of attaching the specie.

The sum due by the North American Trust and Banking Company, remains unpaid.

The amount due by the Real Estate Bank and its branches, \$7,931 51, was used in adjusting accounts with that institution.

The notes of the Real Estate Bank and its branches, \$76,225 00, were used in making settlements with that bank and its branches, exchanged for State Bank bonds and State Bank notes, and disposed of in defraying the expenses of the bank and of the state.

The small amounts due by banks in other states, in all \$323 10, appear never to have been collected.

The notes of banks in other states, \$1,917 32, and the corporation tickets, \$1,676 35, amounted together to \$3,593 67. Of these, \$2,814 62½ remain on hand and are worthless.

The banking houses were all sold under executions in favor of the judgment creditors, and under such circumstances as to yield but little towards satisfying those judgments.

The banking house at Little Rock, which cost about \$28,000 in 1840, was sold in 1845 for about \$200. Every effort to recover it has resulted in nothing but costs and expense.

The banking house at Batesville, which cost upwards of \$15,000, was sold in 1845 for one hundred dollars. The sum of \$500 in addition, was afterwards paid to confirm the sale.

The banking house at Fayetteville, which cost \$7,500, was sold under execution for \$800.

The banking house at the Post of Arkansas, which cost nearly \$16,000, was sold under execution and bought in for the sum of \$100 in specie. It still remains the property of the state, but is so situated as to be of no use either to the state or any of its citizens. At the time it was erected, it was described as one of the best buildings in the state. Every effort has been made to sell it, but it has been found impossible to obtain for it an offer of even \$200.

The total liabilities of the bank and its branches amounted, at the time the assets were transferred to receivers, to \$1,910,023 92. Of these, 216,930 consisted of State Bank notes in circulation, all of which, it is believed, except about \$6,930, have been redeemed, partly by receiving them for taxes, but chiefly by receiving them in payment of debts due to the bank. In the last two years, the treasurer has received notes of the bank to the amount of \$640 from tax collectors.

The deposits, \$54,611 73, have been paid chiefly by giving the depositors credits on the notes due by them to the bank.

The sum due to the Real Estate Bank and branches, \$2,016 97, was liquidated in the settlements made with that institution.

At that time, the principal and interest of 169 five per cent., and 1,000 six per cent. State Bank bonds, then outstanding, amounted to \$1,295,781 87. Of the five per cent. bonds 144, and of the six per cent. bonds 409, amounting in all, with the interest on them, to \$925,174 35, have been redeemed. This is a large sum; but as there are still 591 six per cent. bonds, and 25 five per cent. bonds outstanding, on which no interest has been paid during the last seventeen years, the sum due on the 1st October, 1858, on the State Bank debt, was \$1,247,142 50, being only \$48,638 67 less than the sum due on that account on the 1st of July, 1842.

On page 704, the sum due to the state is set down at \$340,678 71. This was the balance then due on the various funds advanced by the state to the bank, as part of its capital, the sum of \$71,679 09, having, between the 31st of March and the 7th of June, 1843, been drawn from the bank for state purposes.

The original amount of these funds was as follows:

Five per cent. fund.....	\$ 61,065 18
Seminary fund.....	2,034 91
Common school fund.....	1,390 36

Saline or salt spring fund	127 50
United States surplus revenue	286,156 49
	\$350,774 44

On these funds the following dividends
were declared:

On the five per cent. fund	\$7,611 72
On the seminary fund	153 50
On the common school fund	128 48
On the saline fund	23 87
	7,914 57
On the U. S. surplus revenue fund	53,568 49
	\$412,257 50

On account of these funds, the bank appears to have paid to
the state the following amounts:

Surplus revenue fund	\$ 330,561 22
Five per cent. fund	8,549 76
Common school fund	1,515 14
Five per cent. bonds issued by the Real Estate Bank, for money lent by it to the state, and redeemed by the State Bank	32,666 66
	\$ 373,292 78

From this it would appear that the bank discharged all claims
the state had against it, except for the sum of \$38,974 72.

But it should be borne in mind that the state made most of
its advances in specie, or what was the equivalent of specie,
and received back great part of the amount in paper, depre-
ciated many per cent. below par. If we add the various sums
paid out of the state treasury, for salaries of bank officers, for
the payment of judgment creditors, and other objects connected
with the bank, amounting in all to \$83,853 15, it will be found
that the state has been greatly a loser by this unhallowed con-
nection, even if we do not take into consideration the outstand-
ing bonds yet to be provided for.

The whole amount due by individuals at the time the assets
of the bank were transferred to receivers, was \$1,510,619 68,
of which the sum of \$1,410,563 18, was in notes bearing inte-
rest. Through the delay of those who paid in making pay-
ments, and through the failure of many to pay at all, the incre-
ments of interest, greatly swelled this amount.

Table A shows the present condition of the notes due at the
Little Rock office, excluding such as were settled previous to
October 1, 1850.

Table B, C, D shows the condition of the notes of the
branches.

Table E is a summary of tables A, B, C, D.

Table F is a list of lands taken from bank debtors, with statements of the final disposition of these lands, so far as could be ascertained.

Table G is a summary of the collections made from debtors to the bank, (exclusive of collections in lands), from the time the act of liquidation took effect till the 1st of October, 1858.

Table H is a summary of the collections made in lands, and table I, a summary of the collections made in both money and lands, in the above mentioned period.

Taken in their proper connection with the notes accompanying them, these tables will, it is believed, be found to convey much useful information.

In the classification of the debts as solvent, doubtful, insolvent and lost, we have adopted as our basis, the reports made by Mr. Ross in 1850 and 1852. He had, through his intercourse with the attorneys of the bank, and others, opportunities of acquiring a knowledge of the standing of individuals, so far as regards their ability to pay, which we do not possess. Many of those whose names are on the list, and with whom he had a personal acquaintance, have since died, or removed from the state.

Where we have had reason to believe that Mr. Ross erred, we have not hesitated to correct his classification, but we may have erred as well as he.

It has been our anxious desire to avoid doing injustice to any individual; but from the number of persons employed in making collections, sheriffs, attorneys, etc., some of whom may have neglected to make proper returns, and from the manner in which the books have been kept, it may be that payments have been made for which credits have not been duly given.

By comparing table I, with the statement given on page 48 of the amount due from individuals in 1843, it will be seen that at some of the offices the collections have been much better than at others.

At Little Rock, where the gross debt was \$626,340 65 in 1843, the collections have, in fifteen years, amounted to \$680,906 57.

At the Post of Arkansas, where the gross amount due was \$263,193 18, the collections have amounted to \$257,680 75.

At Little Rock the collections have been equal to the gross amount due at the time the act of liquidation took effect, and to \$54,565 72, on account of the interest that subsequently accrued.

At the Post of Arkansas, the collections have amounted to very nearly the gross amount due in 1843.

This is, indeed, not much to boast of; but the contrast between these two offices and those at Fayetteville and Batesville, is greatly to the disadvantage of the last two.

At Fayetteville, on a gross sum of \$356,542 65 only \$224,247 90 has been collected; and the collections at Batesville have been only \$97,743 45, on a gross amount of \$264,542 90.

From table J, it appears that the total of collections in money and lands has been \$1,280,628 47. Add this to the assets on hand, (exclusive of loans and discounts,) in June, 1843, and we have an aggregate of \$1,729,049 45. To this should be added the interest that accrued on Real Estate Bank bonds between the times in which they were received, and the times in which they were exchanged for State Bank bonds and coupons. Many of the Real Estate Bank bonds which were received by Thornton between 1845 and 1849, were not exchanged for State Bank bonds sooner than 1857 and 1858. During all this time, interest was accruing on them. From the manner in which the books have been kept, it is impossible to tell the exact amount; but it may be set down in gross at \$100,000. Add this to the sum above mentioned, and we have \$1,829,049 50, as the total of assets that were realized by the receivers.

Seeing that the amount is so considerable, the inquiry may well be proposed, why so large a sum is still due on account of the State Bank debt?

We reply, briefly, that the assets may be said to have been applied in the following manner:

In redeeming State Bank notes that were in circulation	\$ 210,000 00
In paying deposits	54,611 73
In paying bank balances	2,016 97
In repayments to the state	268,692 27
In redemption of state bonds, and the interest thereon	925,174 35

Total..... .. \$1,460,495 32

Take this amount from \$1,829,049 54, and we have left \$368,554 22. Add to this the sum of \$83,853 15 paid out of the state treasury on account of the bank, and we have \$452,607 37 as the total of expenses, and of losses through sacrifices of property, from the time the act of liquidation took effect.

Large as the amount is, we believe it falls short of the reality. From the manner in which the books were kept, it is impossible to give a regular expense and a regular profit and loss account; but the evidence that those expenses and those losses were enormous, is too strong to be mistaken.

Take a few cases by way of illustration:

About the 3d of May, 1849, James M. Curran, esq., being then owner of State Bank notes to the amount of \$9,355, instituted *ninety-four* suits thereon against the bank, before a jus-

tice of the peace, in Little Rock, "and recovered against said bank, for his debt and damages, together with his costs in each of said suits, amounting in the aggregate to the sum of \$9,355, for his debt, and \$5,314 25 for his damages, less a remmitter for the sum of \$8." The case was carried up to the circuit court of Pulaski county, thence to the sepreme court of Arkansas, and thence to the supreme court of the United States, where the decision was in favor of Mr. Curran.

Mr. Curran died October 6, 1854. Soon after his death, (November 15, 1851,) lands, lots and houses, which had cost the bank \$60,730 66 were sold; but as they brought only \$8,300, they did not satisfy the judgment.

On the 27th of December ensuing, George C. Watkins, esq., the partner and the executor of the last will of Mr. Curran, had the judgment revived. Other lands, lots and houses which had cost the bank \$45,118 91 were then sold. But as they brought only \$8,717 31, neither did they suffice. Out of its remaining assets, the bank had to pay \$3,870 79 to Mr. Watkins, as the executor of the last will of Mr. Curran.

Thus a debt originally of \$9,355, and which, with damages and interest, amounted to only \$20,883 20, swallowed up \$109,720 50 of the assets of the bank.

Another of the judgment creditors of the bank was the late Mr. Alfred Wallace, a gentleman who, as a director of the branch at Fayetteville, had partaken largely in all the benefits the bank could confer. He was always on the lookout for the specie of the bank, or whatever else was tangible among its effects.

In a report dated December 30th, 1848, a committee of the legislature made the following statement:

"It seems that in December, 1845, Mr. Wallace obtained judgment against the bank, in the Washington circuit court, for over \$5,000, and in April, 1847, he recovered judgment for over \$13,000.

"To make these judgments, Mr. Wallace has caused to be sold about 2,200 acres of land, and several town lots belonging to the bank, and become the purchaser of the same at a ruinous sacrifice, leaving still unpaid the greater portion of the debt. Mr. Wallace has also levied on the *safe* of the Fayetteville branch, and if the legislature does not interpose and relieve the bank, will *expose the same to sale*, and no doubt, thereby procure a great sacrifice of said assets. He has also filed a bill in the chancery side of the Pulaski circuit court, to subject the assets of the principal bank to the payment of his judgments, and will sue out an injunction *to restrain the business operations of the bank* until his bill is determined, which will retard the liquidation of the affairs of the bank, and ultimate in an immense sacrifice of her assets. He is also garnisheeing

the debtors of the bank, and levying upon real estate sold by the bank to private individuals since he obtained his judgments. By all these means the committee have no doubt but Mr. Wallace will succeed in collecting his judgments, but he will do it at a sacrifice of the bank, and indirectly to the state, which the General Assembly should not permit."

To avert these direful consequences, a bill was finally passed to satisfy the claim of Mr. Wallace out of the state treasury. The bank then recovered possession of its lands, but they ultimately produced little or nothing.

Under a judgment obtained by the United States on notes of the State Bank, amounting to some five or six thousand dollars, that had been received at some of the land offices, a large amount of real estate was sold at a great sacrifice. But, on representations being made of the ruin it was thereby causing, the United States was induced to stay its hand.

The legal rights of Messrs. Curran and Wallace, and of the United States, were indisputable: but our report would be incomplete if we did not show the effect the enforcing of these legal rights had on the interests of the bank. A few more judgment creditors like these, would have swallowed up all the effects of the Bank of the State of Arkansas.

The fee bills of the sheriffs and clerks of courts swelled to large amounts. We have one fee bill before us of H. Harralson, clerk of the circuit court of Pulaski county, subscribed March 13th, 1844, and amounting to \$1,137 24; but he deducted \$237 24 for prompt payment in specie. In the same year he rendered two other bills, one for \$88 00, and the other for \$288 57. The first or large bill commences Sept., 1842.

So, at the branches, the fee bills were enormous, as may well be supposed, from the number of suits instituted and the manner in which they were contested. At Batesville, in some periods, the expenses appear to have exceeded the collections.

In some of its transactions with the North American Trust and Banking company, the Bank of the State of Arkansas has been very unfortunate. In April, 1844, the bank, through its president, Mr. Field, succeeded in making a settlement with the company. The balance due to the bank was admitted to be \$107,000, and seven New York gentlemen, some of them men of distinction, and all then believed to be men of wealth, did jointly and severally, guarantee the payment of the same.

The regular intercourse of the two institutions was then resumed. The principal bank and the branch at Batesville made additional remittances, amounting in all to \$26,660 28, and the Trust Company complied with its engagements till 6th May, 1841, when it dishonored drafts of the bank and its branches, amounting in all to \$26,464 84.

After considerable delay, a suit was instituted against the

guarantors; but by this time six of the seven were reported to be unable to pay; and the guaranty of the seventh amounted to nothing, as it was then discovered that "the law of New York did not recognize a scroll to be a seal." As the seven New York gentlemen were all men of business, it must be regarded as something remarkable that they did not know this when they signed the instrument.

Every effort to get the money from the Trust Company having failed, Mr. A. E. Thornton, who was then financial receiver, made an assignment of this claim on the 9th of April, 1848, to Wm. S. Paradise, esq., of Philadelphia, on condition that the said Paradise should, (after deducting all expenses, and satisfying all demands, Elijah Paine, a lawyer of New York had for fees, and also after satisfying all claims he, the said Paradise had against the bank,) pay over to the financial receiver in notes of the Bank of Arkansas, any amount he might receive from the North American Trust and Banking Company.

This is the last trace of the claim we have been able to find on the books or among the papers of the bank. It is reported that Mr. Paradise is dead, but we have no direct information of his decease.

At our suggestion, Mr. Wilson, the present financial receiver addressed a letter to J. A. Palmer, esq., who was stated in the public papers to be the financial receiver of the North American Trust and Banking Company, requesting such information as he could give of the present state of the claim. B. W. Bonney, esq., who replied in behalf of Mr. Palmer, said—

"The North American Trust and Banking Company, while in active business, executed several trusts by assignment and transfer of portions of the property of the company to trustees, to secure the payment of certain *specified* debts. After the company failed, David Leavitt was appointed receiver of the property of the company, and suits were instituted between him as such receiver, and the trustees in the several trusts created by the company to test the validity of these trusts, which, by some of the *general creditors* of the company, were alleged to be void. In that litigation between the general receiver, (Mr. Leavitt,) and the said trustees, Mr. Palmer was appointed *special* receiver to hold and protect the property conveyed in trust, until it should be decided whether that property belonged to the trustees to whom it had been conveyed for the benefit of particular creditors, or to Mr. Leavitt for the general benefit of *all the creditors*. Our court of last resort, (court of appeals,) has lately decided that two of these trusts are valid, and that the *special* creditors for whose security these trusts were created, are entitled to the trust fund: and, under that decision, Mr. Palmer recently paid to these special creditors, more than one million dollars on account of their claims. And

Mr. Palmer has still in his hands a large amount of property which, when converted into money, will be paid to these same creditors. As to one other trust, the court has not yet made a decision.

"With the general creditors, who are not secured by any of the trusts, Mr. Palmer has nothing to do. Mr. Leavitt administers to the *general assets* of the company, not assigned to trustees, and all general creditors must present their accounts to him. It is, however, understood that he will have little or no property to pay such general creditors, as nearly all the valuable property of the company was assigned to trustees."

For further information, Mr. Bonney referred to John Cleveland, esq., "Mr. Leavitt's legal advisor in matters of the trusteeship." To him accordingly the financial receiver of the Bank of Arkansas addressed two letters, to the last of which he received the following reply:

"A claim for \$59,608 92 was exhibited against the North American Trust and Banking Company by Wm. Paradise, assignee of the State Bank of Arkansas. This claim was referred to referees in April, 1848, and it is now pending before referees undetermined. But the court of appeals having in 1857 and in 1858, adjudged that the million trust, first half million trust, and second half million trust deeds, (embracing, *all* the valuable assets of their company,) are valid deeds, *nothing* is left for the general creditors not-preferred by these deeds."

From this it appears that as the Bank of the State of Arkansas is a general creditor, there is no hope of its ever recovering any part of the sum due to it by the North American Trust and Banking Company.

In a condensed form, the present condition of the Bank of the State of Arkansas may be stated to be as follows:

	Dr.
For 25 five per cent. bonds outstanding.....	\$ 25,000 00
For interest on the same to Oct. 1, 1858	22,037 50
For 591 six per cent. bonds outstanding	591,000 00
For interest on the same to Oct. 1, 1858.....	609,005 00
For circulating notes yet unredeemed, say.....	6,930 00
	\$1,254,072 50

Per contra.....	Cr.
By notes and bills yet due with interest thereon to Oct. 1, 1858, as per table E.....	\$1,091,204 75
Due by North American Trust and Banking Com- pany, as per claim filed by Mr. Paradise.....	59,608 92
Banking house at Post of Arkansas, at cost.....	15,761 29

Specie in the hands of the financial receiver	2,003 28
Notes of other banks and corporation tickets	2,814 62
	\$1,171,392 86

To which should be added some lands, the value of which cannot now be ascertained.

From this it would appear, that (leaving the lands out of view,) the *nominal* assets of the bank fall short of its liabilities in the sum of only \$82,680 34.

But to arrive at a knowledge of the true condition of affairs, we have to deduct the following from the nominal assets, as being unavailable:

Doubtful notes	\$177,756 65	
Insolvent do	317,617 43	
Lost do	525,544 00	—\$1,020,918 08
The sum due by the N. A. Trust and Banking Company		59,608 92
The banking house at the Post of Arkansas		15,761 29
Uncurrent bank notes and corporation tickets on hand		2,814 62
		\$1,099,102 91

This leaves for good and available assets only the following:

The notes classed as solvent	\$ 70,286 67
The specie in the hands of the financial receiver, ...	2,003 28
Total	\$72,289 95

Deduct this from the total liabilities of the bank, and there will remain \$1,181,782 55

From this should be deducted the balance of the notes issued for circulation, as so many of them as have not been lost or destroyed will be redeemed by receiving them for taxes 6,930 00

\$1,174,852 55

There should, also, be deducted the amounts of the five per cent. and distribution funds that were up to January 1, 1857, retained by the United States towards paying the interest on 90 six per cent. bonds, held in trust for the Cherokee Indians, and 38 six per cent. bonds, held in trust for the Smithsonian Institute 7,615 68

\$1,167,236 87

Whatever amount has since accrued on these funds to the credit of the State of Arkansas, should also be deducted.

An additional amount of these funds, amounting, on the 1st of January, 1858, to \$71,864 08, has been retained by the United States, and applied to the payment of the interest on 500 Real Estate Bank bonds, held in trust for the Smithsonian Institute. This sum the Real Estate Bank owes to the state, and it owes, also, whatever additional amount may have been thus applied since the 1st of January, 1857.

If the amount due by the Real Estate Bank be applied to the liquidation of the State Bank bond debt, it will leave unredeemed of the principal and interest of that debt, something less than one million, one hundred thousand dollars.

As the six per cent. bonds do not fall due for nine years, nor the five per cents. in less than twenty-eight years, there may seem to be no necessity for immediate action, but there is necessity for immediate thought.

“Interest is an eating moth.” The longer the redemption of this debt is deferred, the greater will be the amount ultimately to be paid. The interest on the State Bank bonds now outstanding is \$37,710 a year.

If the stockholders of the Real Estate Bank pay what they owe, and if the present rate of taxation be undiminished, it will be easy to provide for the residue of the state debt. If suitable means be promptly taken, it will be less in proportion to wealth and population than the debt of three-fourths of the states in the Union.

It is well that we can take so pleasing a view of the subject. If we do not pay what we owe, or make suitable provision to pay what we owe, we cannot borrow. If we cannot borrow, we cannot complete our railroads; and if we do not complete our railroads, the resources of our noble state will remain undeveloped.

Every man in the state has an interest in the proper discharge of the debts of the state, for thereby the value of every man's property and labor will be enhanced.

It is true that the construction of railroads has been entrusted to companies, but the credit of the state abroad affects the credit of those companies; and not only their credit, but to some extent, the credit of every man in the state.

At the session of 1852-'3, it was suggested that the remaining assets of the bank should be transferred to the state treasurer, with discretionary power to wind up the institution. But, a committee, to whom the subject was referred, reported that such an act would be a merger of the bank into the state, “thereby destroying its corporate existence, and consequently result in loss to the bank, and thereby to the state, of whatever good debts may still remain unpaid. Or, if such would not be

the result, it would, at least furnish new grounds of defence to the debtors, and thereby cause great delay in the collection of debts."

Even if such should not be the result, it will take the whole time of one man, for two years, to wind up the bank, and if that man does his duty, his time will be fully employed.

Under this impression, we would respectfully suggest the continuance of the present law, with such modifications as the case may require.

If authority should be given the financial receiver to travel, with suitable provision for his traveling expenses, it is probable that many debts, or parts of debts, might be collected, which would otherwise be entirely lost. Waiting in person on debtors sometimes proves effective, when all other means have failed. Not a few of the debtors to the State Bank seem not to be aware that fractional parts of state bonds can be bought at Little Rock at such rates that fifty cents in specie will discharge a dollar of bank debt. Many others, if waited on personally, would probably make compromises, and though not able to pay all they owe, would gladly pay a part in order to receive a full discharge.

It would seem proper that the financial receiver should have power, in special cases, to employ special attorneys, under the direction of the executive, or under such other checks and restrictions as it may be proper to impose. One lawyer cannot possibly attend to all the cases of the State Bank, scattered as they are, all over the state.

The investigation in which we have been engaged has occupied much more time than was originally expected. It has been a laborious one, as may well be supposed from the number and intricacy of the accounts. The various documents we have prepared, including both those accompanying this report, and those deposited with the financial receiver, may be said to form a new, though not a complete, set of books.

In a pecuniary sense, the investigation has not been entirely in vain. In an estimate which Mr. Fagan, late financial receiver, submitted, on the 1st of October, 1856, he set down \$35,000 as all that could be collected after that date. But, through his efforts, those of Mr. Wilson, the present financial receiver, those of Mr. McConaughey, the land attorney and our own, nearly \$38,000 have already been collected. And we have every reason to believe that if the measures already taken be suitably followed up, at least \$70,000, perhaps \$100,000 will be added to this amount.

The chief advantage, however, resulting from this inquiry, is the light it throws on a subject which must, in different forms, occupy more or less of the attention of the people, and of the legislature, for years to come. We have traced the history of

the bank year by year. We have given it in the words of its own managers. We have given the views each successive governor and each successive General Assembly entertained of the subject. Without similar research among public documents, accessible to but few, and bank documents, accessible to hardly any, these facts could not be brought together.

We might devote another year to the investigation, nay, two, and every day discover something. But we know of no practical benefit that would thereby accrue. We do not believe that such an investigation would result in the discovery of more debts due to the bank, and which might yet be collected. On other points, enough has been said; enough to show how this portion of the state debt was incurred; enough to show why so large a portion of it remains unpaid; and enough to show the immense evils this system of false money and factitious credit has brought on the people.

With these remarks, we subscribe ourselves,

Very respectfully, your ob't serv'ts,

WM. M. GOUGE,

A. H. RUTHERFORD,

State Accountants under the

act of 15th January, 1857.

Little Rock, Arkansas, October 10, 1858.

PRINCIPAL BANK, LITTLE ROCK.

These remarks are condensed from reports and letters of the attorneys of said bank, and from information received by the financial receivers of the principal bank, from various sources:

NOTE No. 9.—Barkaloo left the state eight or ten years ago insolvent; Lockert is dead; and the circumstances of Cook and Calvert are not known. Mr. Ross classed the debt as lost in 1850.

NOTE No. 10.—All the defendants are dead; debt lost.

NOTE No. 13.—Budd and Waring insolvent; Byrd is dead. The debt is lost.

NOTE No. 14.—This claim was placed in the hands of P. T. Crutchfield, esq., the defendants being regarded as insolvent, and he has recently reported to the bank its payment by compromise. This debt, with others, against the principal, and Mr. Brown, sr., for \$2,500 or \$3,000, was compromised for a mere trifle—receiving only some \$350 for the whole amount; and half of the amount received was retained by Mr. C. for collecting it, agreeable to his contract with the bank.

NOTE No. 16.—Ball took the benefit of the bankrupt law in 1842, and afterwards removed from the state. Mr. Ross classed the defendants as insolvent in 1850, and we now regard the debt as lost.

NOTES Nos. 17, 18 and 19.—The defendants on these notes were regarded as insolvent in 1850, and the claims so classed. We regard them as wholly lost.

NOTE No. 20.—This debt is lost. The defendants pleaded the statute of limitations successfully on the trial.

NOTES Nos. 21 and 22.—The parties were considered insolvent in 1850, and the debts were so classed. Nothing has since been collected on them; and we regard them as lost.

NOTE No. 23.—This claim went into the hands of P. T. Crutchfield, esq., as special attorney, the defendants being insolvent. He finally received a small amount on compromise. The balance of the debt is lost.

NOTE No. 24.—Judgment was rendered against Bates only, and he went to California in the spring of 1850. The debt is lost.

NOTE No. 25.—Judgment in this case against Bankhead and Pryor. Bankhead is dead. Col. Pryor is solvent, but the debt was classed as doubtful in 1850.

NOTE No. 26.—The defendants are solvent, and execution has been issued against them, and there is but little doubt of the money being collected during the next year. This debt was classed as doubtful in 1850; but for what reason we cannot tell.

NOTE No. 28.—The defendants are all dead; and their estates are insolvent.

NOTE No. 30.—Buckner, Ganall and McCargo are dead; the claim was transferred to Major Crutchfield, as special bank attorney—he reports a compromise, by which something may be collected on it during the next year.

NOTES Nos. 34, 35, 36, 37, 38 and 39.—The defendants on these notes are either dead, moved out of the state, or insolvent. Judgments were rendered against the bank in most of the cases. These debts were all classed as lost in 1850. Mr. Strong resides in Tennessee—and is solvent, but was discharged from these debts in 1842, under the general bankrupt law.

NOTE No. 41.—This debt was classed as doubtful in 1850, but one of the securities is good, and the principal is believed to be so also. Execution has been recently issued in this case, with a fair prospect of collecting the balance of the debt.

NOTE No. 42.—This debt was placed in the hands of Major Crutchfield, special bank attorney; the defendants were regarded as insolvent in 1850, and the debt so classed. Nothing has been collected on it, and it may be put down as lost.

NOTE No. 43.—Burriss and Duncan are dead. The statute has run on the judgment. Judge Hanly is solvent, and says that the debt has been paid. There is no evidence in the bank of the payment.

NOTE No. 44.—Bugg removed from the state many years ago; the securities are insolvent. Debt lost.

NOTE No. 45.—Mrs. Baylor removed from the state 15 or 18 years ago. The debt was placed in the hands of Major Crutchfield as an insolvent claim, and he compromised it with one of the securities, by the payment of the principal in par funds. The balance is lost.

NOTE No. 46.—Bird and Gray are dead. Hall removed from the state some 18 or 20 years ago. The debt being classed as insolvent, a compromise was made with Gray's administrator, who paid \$64 50 as in full. Balance lost.

NOTE No. 47.—A new note was taken in this case, with a mortgage on real estate, and the securities released by the bank. Mr. Baldwin removed from the state to Texas, four or five years ago. He made an arrangement with Mr. Joseph Stillwill, by which Mr. S. executed notes to Mr. B.

A TABLE—Showing the condition of the Notes and Bills due at the Little Rock office of the Bank of the State of Arkansas, up to 1st October, 1858.

No. of Note.	PRINCIPAL.	SECURITIES.	Amount of note.	Note, when due.	Debt on ledger.	Residence of principal when note was given.	Date of judgment.	Names of parties against whom judgment was rendered.	Credits up to 31st December, 1850.	Credits from 1st January, 1851, to 1st September, 1854.	Credits from 1st September, 1854, to 1st October, 1858.	Am't of principal due 1st Oct'r, 1858.	Interest due to 1st Oct'r, 1858.	Total amount of principal and interest due 1st October, 1858.	Supposed condition of debtors and their securities.	REMARKS.
1	Allis, Horace B.	Roswell Bebee	\$ 2,844 00	April 1, 1849.		Pulaski	October 3, 1851.	Allis and Bebee	1,012 00	2,879 55						In full.
2	Armstrong, And. J.	William Moss and William L. Cook	250 00	October 24, 1839.		Sevier	do do	Armstrong	334 76	164 55						In full.
3	Ashbrook, Alfred E.	Green B. Hughes and A. R. Hockersmith	525 00	March 15, 1850.	6 32	Saline			200 00	230 00	56 53					In full.
4	Anthony, James C.	John Wilson and P. M. Sherman	1,000 00	February 22, 1842		Pulaski	January 9, 1844.	Anthony and Wilson		100 00						In full on compromise
5	Anthony, Philip L.	James C. Anthony and Emzy Wilson	600 00	do do		same	October 28, 1845	Anthony, Anthony and Wilson	510 00	348 33						In full.
6	Adams, Samuel	B. F. Duval and E. H. English	550 00	September 1, 1849		same			178 00	433 50						In full.
7	Aills, William	Lorenzo C. Clarke and C. Fielding	500 00	October 15, 1841		Johnson	June 21, 1847.	Adams, Patrick and James.	749 80							In full.
8	Annear, William	B. J. Borden and James D. Fitzgerald	150 00	July 1, 1847.		Pulaski			133 50							In full.
9	Burkhead, John R.	W. S. Lockert, S. J. Cook, and William Calvert	250 00	June 28, 1841.		same	January 9, 1844.	Cook and Calvert	11 28			250 00	333 72	583 72	Debt lost.	In full.
10	same	W. S. Lockert and H. F. Shaw	600 00	April 9, 1842.		same	do do	Shaw				600 00	775 66	1,375 66	Debt lost.	
11	Borden, Benjamin J.	James B. Keatts and C. P. Bertrand	190 00	June 23, 1844.		same										In full.
12	same	George C. Watkins	4,150 00	September 1, 1847		same			1,000 00	3,531 91	2,094 63					In full.
13	Budd, John J.	R. C. Byrd and George Waring	425 00	Dec'r 27, 1840.		same	June 15, 1841.	Budd, Byrd and Waring				425 00	603 59	1,028 59	Debt lost.	In full.
14	Brown, Wm. jr.	William Brown, jr. and William Nelms	85 00	November 6, 1841		same	Dec'r 21, 1843.	Brown (before Fitzgerald, J. P.)				85 00	115 04	200 04	Debt lost.	
15	Byrd, John N.	Mortgage on real estate	4,900 00	January 18, 1849.		same		Mortgage foreclosed.	this debt assumed by	Wm. H. Gaines and Mrs. M. Boyle						Paid on compromise. See app'dx for new notes given.
16	Call, Bennett E.	P. L. Shater, D. D. Ma-on and James Tucker	300 00	February 28, 1841		Conway	July 8, 1841.	Mason and Tucker				308 00	422 00	722 00	Insolvent.	
17	same	Nimrod Menefee and Nelson Phillips	250 00	April 28, 1841.		same	January 12, 1844.	Bank, (Ball, bankrupt)				250 00	348 32	598 32	Insolvent.	
18	same	James Tucker, Benj. Murphr. P. L. Shater and A. K. Higgins.	900 00	do 12, do		same	July 8, 1844.	Murphy				900 00	1,258 60	2,158 60	Insolvent.	
19	Bunt, Ke Jan J.	Frederick Fletcher and Benjamin Murphy	270 00	do 12, do		same	January 9, 1844	Murphy				270 00	375 48	645 48	Insolvent.	
20	same	James Moore and William Calvert	40 00	January 7, 1842		Saline	do 2, 1845.	Bank, statute pleaded				40 00	53 60	93 60	Debt lost.	
21	Brazil, Richard	Robert Brazil and Squire Allen	340 00	February 9, 1841.		same	July 8, 1844.	Richard Brazil	54 75			340 00	425 01	765 01	Insolvent.	
22	same	Robert Brazil and Owen Standlee	360 00	March 29, 1841.		same	January 8, 1844.	Richard Brazil and O. Standlee				360 00	594 00	864 00	Insolvent.	
23	Brazil, Valentine, jr.	Robert Brazil and John C. Douglass	450 00	do do		same	do do	V. Brazil, jr. and John C. Douglass		40 08	52 50	450 00	593 42	1,043 42	Debt lost.	Compromise as in full.
24	Bates, Ashley B.	William S. Lockert, William Duncan and G. B. Hughes	540 00	June 14, 1841.		same	May 13, 1846.	Bates, (gone to California)				540 00	747 49	1,287 49	Insolvent.	
25	Bunkhead, T. M. R.	Richard Pryor and Henry C. Byrd	550 00	May 1, 1844.		Hempstead	June 19, 1849.	Bankhead and Pryor	1,132 50			220 55	166 78	387 33	Doubtful.	
26	Bizzell, William H.	Robert McDonald and Fountain G. Stone	750 00	February 13, 1843		Pike	July 8, 1844.	Bizzell, McDonald and Stone				750 00	815 83	1,565 83	Doubtful.	
27	same	Seldon Tryon, Ezra Crowell and Robert McDonald	1,100 00	March 18, 1841.		Pike	Nov'r 18, 1845.	Bizzell, (for residue)	499 98		686 90					In full, on emp'se to Crutchfield.
28	Buckner, Simeon	L. J. Reardon, R. C. Byrd and B. M. Reynolds.	2,736 00	July 1, 1849.	12 50	Clark	December 3, 1846	Byrd, (dead)				2,748 50	3,994 84	6,743 34	Insolvent	Debt lost.
29	same	L. J. Reardon and Michael Bozeman	3,500 00	May 22, 1841.		same	do 3, 1845	Bozeman		849 45	3,843 68					In full.
30	same	F. Hamall, R. McCargo and Thomas C. Hudson	2,000 00	May 12, 1840.		same	Sept'r 19, 1842.	Buckner, McCargo and Hudson				2,000 00	2,940 00	4,940 00	Insolvent.	
31	Bozeman, Michael	Wm. F. Browning and Joshua M. Stewart	1,600 00	April 1, 1846	6 84	same	June 5, 1849	Bozeman, Browning and Stewart	200 00	2,540 71						In full.
32	Beall, Asa B.	Asa Beall	110 00	do 1, 1849.		same			71 33	50 50						In full.
33	Brown, Henry K.	Cyrus K. Holman and J. B. Holman	550 00	September 1, 1844.		Sevier	Nov'r 16, 1846.	Brown, Holman and Holman	200 00	395 00	629 75					In full.
34	Burriss, Allen D.	John M. Burriss and William Strong	145 00	February 25, 1841	6 67	St. Francis						151 67	204 23	355 90	Insolvent	Debt lost.
35	same	same	550 00	February 16, 1841		same						550 00	775 49	1,325 49	Insolvent	Debt lost.
36	same	Wm. B. Burriss, James J. Thompson and William Dobson	610 00	June 26, 1841.		same	June 8, 1846	Bank, for cost				600 00	828 57	1,428 57	Insolvent	Debt lost.
37	Burriss, Wm. B.	Allen D. Burriss, same same	600 00	do do		same	do 20, 1843.	W. Burriss and Dobson				600 00	828 57	1,428 57	Insolvent	Debt lost.
38	Burriss, John M.	Allen D. Burriss and William Strong	550 00	February 16, 1841		same						550 00	775 49	1,325 49	Insolvent	Debt lost.
39	Burris, John	James Burleson	360 00	August 13, 1840.		same	June 18, 1846.	Bank, for cost				360 00	538 12	898 12	Insolvent	Debt lost.
40	Byrum, Mary	Rudlin Brown and Richard Hargraves	470 00	February 19, 1841		same	January 4, 1844.	Bryan, Brown and Hargraves	7 77	22 00	932 87					In full.
41	Byrum, Richard	Richard Hargraves and Jacob Mitchell	540 00	February 13, 1841		same	do do	Brown and Hargraves		694 97		409 40	149 93	559 33	Doubtful.	
42	Blakemore, Charles N.	Andrew J. Neely and Francis B. Read	700 00	October 16, 1839.		Crittenden	March 22, 1840.	Blakemore, Neely and Read				700 00	1,061 67	1,761 67	Insolvent.	
43	Burris, John	Thomas B. Hanly and Wm. B. Duncan	200 00	April 30, 1842.		Phillips	July 8, 1844.	Hanly and Duncan				200 00	262 66	462 66	Insolvent.	
44	Biggs, John A.	Charles L. Jeffries and David Royster	120 00	do 16, 1840.		Ft. Gibson, C. N.	Sept'r 29, 1841.	Jeffries and Royster	93 56			103 94		103 94	Insolvent.	
45	Byrd, Sophia M.	Burnett Williams and John P. Norman	255 00	May 1, 1841.		same same	April 30, 1845.	Williams and Norman		254 50		255 00		255 00	Bank lost.	In full on compromise.
46	Bird, James	Thomas W. Gray and Samuel S. Hall	150 00	June 5, 1839.		Pulaski	Sept'r 13, 1839	Bird, Gray and Hall		64 50		150 00	167 50	317 50	Insolvent	Compromised.
47	Blewin, David J.	Thomas D. Merrick and Luther Chase	5,249 00	September 1, 1847		same		D. J. Baldwin	1,508 50	1,250 00		5,038 87	1,571 28	6,610 15	Insolvent.	
48	Bird, Wm. J. & R. C.	Mortgage on real estate	13,365 00	Nov'r 22, 1844.	3,195 38	same	April 7, 1845.					16,560 38	14,713 86	31,274 24	Dead.	Debt lost.
49	Bentley & Simmons	Anders in Gordon	170 00	January 13, 1849		Conway			175 50							In full.
50	Brown, John	John Collins and Lemuel H. Goodrich	10,000 00	do 8, 1850.		Pulaski			1,195 00	6,369 00	5,016 91					In full.
51	Bashy, David	Willis Wilson and William Gates	65 00	February 1, 1849.		Clark			18 00			65 00	20 57	85 57		Debt lost.
52	Byrd, Wm. J.	Security not stated	36 00	Nov'r 29, 1849.		Pulaski			36 00							In full.
53	Bertrand, Charles P.	Emzy Wilson and Luther Chase	1,625 00	December 5, 1844		same			1,745 17							In full.
54	Brown, Wm. jr.	John Robins and E. H. Lightfoot	300 00	February 10, 1842	177 92	same		Brown and Robins	508 50	paid in land by Robins						In full.
55	Baum, Samuel	Charles Lewis and Jared C. Martin	108 00	June 27, 1847.		same			120 38							In full.
56	Butler, Luke E.	John H. Crease et al., for Episcopal Church	530 00	May 11, 1845.		same			650 10							In full.
57	Bylie, John N.	James Pitcher and Emzy Wilson	665 00	April 1, 1845		same	January 23, 1849.	Estate J. N. Boyle, probate court	696 75							In full.
58	Boit, John P.	James Carter and Aaron Bolt	80 00	May 18, 1847.		Saline			96 00							In full.
59	Bankhead, T. M. R.	Richard Pryor and Henry C. Byrd	462 00	January 15, 1849.		Hempstead	Dec'r 21, 1849.	Bankhead and Pryor	171 13	540 54						In full.
60	Boyd, Henry C.	Robert Carrington and Richard Pryor	500 00	September 1, 1845.		same	do do	same same	330 80	909 93						In full.
61	Block, A. & son	David Block	425 00	June 24, 1849		same			262 15	200 00						In full.
62	Blevins, Hugh A.	Joshua Morrison and Daniel T. Witter	440 00	April 1, 1845.		same	June 29, 1843.	Blevins, Morrison and Witter	600 23							In full.
63	Bizzell, Wm. H.	Thomas B. Bizzell and F. G. Stone	636 00	Nov'r 15, 1846		Pike		Bank, for cost	691 66							In full.
64	Biscoe, L. H.	George W. Underhill and Thomas M. Collins	550 00	October 22, 1840.		Crittenden			260 00	417 01						In full on compromise.
65	Biscoe, Henry L.	Robert A. Watkins	171 71	January 1, 1847.		Phillips	Dec'r 21, 1849.	Biscoe and Watkins	240 78							In full.
66	Cummins, William	Hardy Robinson and Thomas T. Williamson	4,500 00	February 14, 1841		Pulaski	Nov'r 26, 1845.	Bank	389 50			4,500 00	6,307 99	10,307 99	Insolvent	Debt lost.
67	same	Albert Pike and James B. Keatts	400 00	June 9, 1841		same	do do	Bank				400 00	553 76	953 76	Insolvent	Debt lost.
68	same	Simeon Buckner and Morehead Wright	2,500 00	May 22, 1841.		same	do do	Bank				2,500 00	3,472 40	5,972 40	Insolvent	Debt lost.
69	same	Ebenezer Cummins and Wm. K. English	403 33	Dec'r 10, 1841.		same	do do	Bank				403 33	544 62	947 95	Insolvent	Debt lost.
70	Collins, R. D. C.	Edward Cross and James DeBaun	325 00	May 11, 1841.	288 32	same	July 8, 1844.	Cross and DeBaun				613 32	452 06	1,065 38	Solvent.	
71	Cleese, John H.	George C. Watkins and Thomas W. Newton	1,700 00	October 1, 1849.		Saline			500 00	1,476 42						In full.
72	Chase, Luther	Albert Pike and Emzy Wilson	2,175 00	December 5, 1845		Pulaski			875 14			1,798 53	1,443 62	3,242 15	Limit on pleaded.	Debt lost.
73	Corrigan, Little Rock	Samuel G. Trowbridge, mayor	500 00	Nov'r 30, 1842.		same	May 11, 1846.	Mayor and Aldermen				500 00	633 33	1,133 33		Debt lost.
74	Clemons, Benjamin	H. F. Shaw and William Cummins	120 00	April 22, 1841.		same	July 1, 1844.	Shaw	18 18			120 00	149 02	269 02	Parties dead	Debt lost.
75	Carter, George W.	Russell Welborn and Joseph J. Simmons	400 00	May 6, 1842		Conway	January 12, 1844.	Simmons				400 00	529 76	929 76	Simmons in California	Debt lost.
76	Cumstock, Jasper W.	Francis J. Brownlee and Eli Bentley	225 00	April 1, 1847.		same			171 55	63 33		55 00	38 24	83 34	Solvent.	

A--Continued.

No. of note.	PRINCIPAL.	SECURITIES.	Amount of note.	Note when due.	Debit on ledger.	Residence of principal when note was given.	Date of judgment.	Names of parties against whom judgment was rendered.	Credits up to 31st December, 1850.	From 1st January, 1851, to 1st September, 1854.	Credits from 1st September, '54, to 1st October, 1858.	Amount of principal due 1st Oct'r 1858.	Interest due to 1st October, 1858.	Total amount of principal and interest due 1st October, 1858.	Supposed condition of debtors and their securities.	REMARKS.
77	Carr, James.	P. J. Pitman and Esme W. Johnson.	250 00	May 22, 1841.		Conway	January 8, 1854.	Carr.				250 00		597 07	Insolvent.	
78	Calvert, Robert.	Sterling H. Tucker.	750 00	February 23, 1850.		Saline			582 34	217 48						In full.
79	Cox, James.	A. R. Hockersmith and George W. Rutherford.	130 00	September 7, 1845.		same	April 18, 1848.	Hockersmith and Rutherford.				130 00	136 00	266 00	Debt lost.	
80	Clark, James.	A. K. Miller and A. W. Goodloe.	500 00	June 4, 1840.		Chicot	January 3, 1844.	Clark and Goodloe.				500 00	733 00	1,233 00	Insolvent.	
81	Clayton, Wiley.	Ezra M. Owen and George W. Rutherford.	90 00	July 1, 1844.		Saline		Bank before J. P.—limitation.	40 00			57 20	59 41	116 61	Limitation pleaded	Debt lost.
82	Childress, Robertson.	P. L. Smith, J. M. Hicks and Richard Brazil.	450 00	July 30, 1839.		same	November 2, 1840.	Hicks and Brazil.	71 30			378 70	585 66	964 36	Debt lost.	
83	Carrington, Robert.	Richard Pryor and Henry C. Boyd.	2,100 00	September 1, 1845.		Hempstead		Estate of Carrington.				2,100 00	2,198 00	4,298 00	Doubtful.	
84	Cross, Edward.	John Wilson, M. Wright and A. H. Sevier.	4,500 00	April 18, 1844.		same	October 28, 1845.	Cross, Wright and Sevier.	3,585 00	3,552 66						In full.
85	Conway B., William.	George Conway, R. H. Conway and B. P. Jett.	470 00	March 1, 1846.		same		Conway, Conway and Jett.	130 00			377 60	349 90	727 50	Solvent.	
86	Conway, William H.	Jesse Douglass and George Dooley.	675 00	April 1, 1844.	1 15	same	April 30, 1845.	Conway and Douglass.				676 15	732 00	1,408 15	Insolvent.	
87	Crowell, Ezra.	James Calvert and Selden Tryon.	1,200 00	April 30, 1841.		Pike	June 18, 1846.	Dismissed at cost of bank.				1,200 00	1,682 00	2,882 00	Debt lost.	
88	Clingman, Elex. B.	B. Richardson and James Williams.	90 00	April 13, 1844.		Clark		Bank—statute of limitation	49 62			50 78	52 81	103 59	Debt lost.	
89	Crow, James R.	Benjamin C. Logan and James L. McLaughlin.	270 00	September 3, 1844.		same	October 25, 1845.	Logan and McLaughlin.	61			269 39	228 42	497 81	Doubtful.	
90	Crow and Pittjohn.	John Crow.	106 00	February 1, 1850.	1 44	same			40 00	60 75		25 34	9 50	34 84	Solvent.	
91	Carson, Charles.	Jason H. Carson and W. B. Hawkins.	350 0	December 12, 1839.		Sevier	September 1, 1841.	Dismissed	60 00			297 00	441 14	738 41	Debt lost.	
92	Curl, Henry H.	J. J. Thompson, A. D. Burriss and M. Tyer.	100 00	June 26, 1841.		St. Francis.			55			99 45	117 48	216 93	Insolvent.	
93	Cotton, John.	David B. Colton and Thomas J. Isbell.	1,000 00	September 23, '41.		same	June 18, 1846.	Dismissed				1,000 00	1,361 66	2,361 66	Debt lost.	
94	Collins, Thomas M.	George W. Underhill and A. Meinsinger.	600 00	April 10, 1842.		Crittenden	July 5, 1844.	Collins, Underhill and Meinsinger.	314 89	615 38		240 53	68 95	309 48	Solvent.	
95	Collins, Brice A.	W. B. Hay, J. Martin and E. C. Frisbee.	200 00	January 9, do.		same	same	Frisbee				199 54	267 32	466 86	Insolvent.	
96	Calvert, John D.	Wiley Lewis, C. N. Blakemore and D. Spurlock.	1,000 00	August 23, 1838.		same	September 7, 1839.	Calvert, Lewis and Spurlock.	46			847 21	1,348 06	2,195 27	Insolvent.	
97	same	Wiley Lewis and David Spurlock.	270 00	November 1, do.		same	same	same	170 56			270 00	426 60	696 60	Insolvent.	
98	Cherry, William P.	same	120 00	May 13, 1840.		same	September 27, '41.	Lewis and Spurlock.	15 00			120 00	161 53	281 53	Insolvent.	
99	Collins, William W.	William Jenkins and A. W. Goodloe.	2,200 00	February 9, 1847.		Chicot	July 23, 1850.	Collins	3,525 25			238 00	86 47	324 47	Solvent.	
100	Clark, John.	Albert Pike and Charles P. Bertrand.	380 00	September 1, 1844.		same	October 26, 1847.	Bertrand and Pike.	117 00		326 47	174 22	151 98	326 20	Solvent.	
101	Carter, Robert S.	T. T. Tunstall and J. M. Tunstall.	800 00	August 16, 1842.		Pulaski	July 8, 1844.	Carter and J. M. Tunstall.	1 20			800 00	1,030 29	1,830 29	Doubtful.	
102	Conway, George.	R. L. Phillips and D. T. Witter.	225 00	November 4, 1841.		Hempstead	January 8, 1844.	Conway, Phillips and Witter.	390 00			8 44	6 07	14 51	Solvent.	
103	Chenoworth, J. W.	J. J. Bowie, B. F. Odle and James Carlton.	175 00	May 17, 1840.	6 25	Phillips	November 14, '40.	Bowie and Odle.				181 25	220 48	401 73	Insolvent.	
104	Coulter, Richard.	James Coulter and Charles R. Rains.	250 00	May 17, 1841.		Pulaski	October 27, 1845.	Bank	42 50			244 99	303 64	548 63	Debt lost.	
105	Cummins, William.	Antoine Barraque, J. B. Keatts and E. Cummins.	500 00	February 7, 1841.		same	November 26, '45.	Bank				500 00	703 33	1,203 33	Debt lost.	
106	Conant, E. L.	\$2,765 Mississippi money, and lien on steamboat.	1,500 00	August 6, 1839.		St. Louis, Mo.			96 75			1,483 25	2,176 70	3,659 95	Debt lost.	
107	Campbell, James.	Jasper W. Comstock and Eli Bentley.	85 00	January 1, 1850.		Conway			23 00	36 66		35 00	23 34	58 34	Solvent.	
108	Conway, T. J. and A. Hemphill.	Payable to W. H. Bizzell, and indorsed by him to bank, specie.	250 00	do 4, 1856.		Hempstead						50 00	57 00	107 00	Solvent.	
109	Clayton, Wiley.	E. M. Owen and George W. Rutherford.	50 00	July 1, 1844.		Saline		Bank before J. P.—limitation.								In full.
110	Crease, John H.	Lambert Reardon and John Wassell.	360 00	November 11, '48.		same										Debt lost.
111	Castling, Joseph.	W. W. Stevenson and Willard Keith.	48 00	July 10, 1847.		Pulaski				472 00						In full.
112	Comstock, Jasper W.	James Campbell and Eli Bentley.	42 88	January 1, 1848.		Conway			39 93	21 00						In full.
113	Curick, Addison.	Green B. Hughes and Ezra M. Owen.	160 00	August 19, 1841.		Saline	January 8, 1844.	Hughes and Owens	52 21							In full.
114	Carter, James.	John P. Bolt and Aaron Bolt.	63 00	April 1, 1848.		same				282 67						In full.
115	Conway, James S.	William E. Woodruff and Elias N. Conway.	2,460 00	May 30, 1849.		Lafayette			40 00	33 64						In full.
116	Collins, Thomas M.	George W. Underhill and John L. Drew.	400 00	January 1, 1847.		Crittenden			2,134 72	462 27						In full.
117	Costar & Harvick.	William Harvick and James Duncan.	155 00	do 22, 1848.	30	Monroe			507 95							In full.
118	Cornelius, Henry.	Jackson Cornelius and Wiley Patterson.	130 00	May 20, 1849.		Hot Spring			62 50	131 67						In full.
119	Crutchfield, Peter T.	Andre J. Hunt and Thomas Parsel.	1,400 00	October 16, 1849.		Pulaski			81 62	70 47						In full.
120	Colby, Eli.	William Peiham and Joseph Fenno.	350 00	April 1, 1845.		same			1,400 00							Paid in land.
121	same	same	630 00	same		same										In full.
122	Couch, Jacob B.	William E. Woodruff and Peter T. Crutchfield.	155 00	October 3, 1845.		same			1,244 98							In full.
123	Crockett, William.	William M. Scott and David Dodd.	200 00	May 1, 1845.		Saline			169 53							In full.
124	Conway, Joel D.	C. B. Mitchell and William Moss.	210 00	September 1, 1847.		Hempstead		Conway, Mitchell and Moss.	248 12							In full.
125	Campbell, John R.	James B. Campbell and C. W. Campbell.	2,500 00	November 30, '40.		Chicot	January 1844.	Campbell and Campbell.	264 74							In full.
126	DeBaun, James.	Julien Imbeau and George Waring.	450 00	June 27, 1844.		Pulaski	April 20, 1847.	DeBaun and Waring.	4,833 33			450 00	513 00	963 00	Debt lost.	
127	Dawdy, William A.	Thomas Pack and William White.	90 00	March 27, 1841.		same	December 19, '43.	Dawdy				90 00	126 00	216 00	Debt lost.	
128	same	John R. Barkaloo and E. H. Lightfoot.	315 00	August 17, do.		same	July 8, 1844.	Dawdy				315 00	428 40	743 40	Debt lost.	
129	Duncan, William.	William S. Lockert and John C. Marler.	160 00	do 26, do.		Saline	October 27, 1845.	Bank—plea of bankruptcy.	15 34			144 66	197 69	342 35	Debt lost.	
130	Dawson, Henry T.	Robert Calvert and James Moore.	380 00	July 13, 1845.		same	January 23, 1850.	Dawson, Calvert and Moore.	345 63			152 27	100 49	252 76	Solvent.	
131	Dorris, James.	Joseph Gray and Thomas C. Hudson.	60 00	January 1, 1843.		Clark			20 00			40 00	50 40	90 40	Debt lost.	
132	Duncan, Benjamin.	Harris Flanagan and James Sloan.	300 00	June 6, 1848.		same			114 75	292 50						In full.
133	Duval, Lewis.	David Foran and E. Tollett.	95 00	June 27, 1845.		Sevier	April 18, 1848.	Duval, Tollett and Foran.		86 25						In full.
134	Dorris, Bennett M.	J. Thompson and William Strong.	959 25	April 4, 1841.		St. Francis.	June 18, 1846.	Dismissed at cost of bank.								In full.
135	Downs, Zachariah.	M. W. Izard and David Wood.	80 00	June 17, 1842.		same										Debt lost.
136	Dunn, James.	T. Landsdale, J. S. Burks, A. A. Luckey and H. H. Curl.	700 00	November 6, 1839.		same	November 9, 1840.	Dunn, Landsdale and Curl.				80 00	104 20	184 20	Debt lost.	
137	Danley, James M.	Jared C. Martin and William Pelham.	444 00	April 1, 1846.		Pulaski	June 29, 1849.	Danley, Martin and Pelham.	566 66			700 00	1,062 89	1,762 89	Insolvent.	
138	Danley, James M.	Jared C. Martin.	2,805 38	March 19, 1850.		same				1,770 00	2,354 50					In full.
139	Dickinson, Townsend.	Thomas J. Lacy and W. Pratt.	1,000 00	January 20, 1839.		Independence	March 14, 1840.	Dickinson				1,000 00	1,575 55	2,575 55	Debt lost.	
140	Dawson, James L.	Thomas Phenix, Wood Tucker and T. T. Williamson.	3,750 00	September 8, do.		Jefferson	November 9, 1840.	Tucker	2,990 93			909 07	1,697 54	2,606 61	Insolvent.	
141	Davies, A. H.	William H. Gaines.	4,340 00	November 25, '49.		Chicot			1,322 50	3,418 85						In full.
142	Dodd, Andrew M.	S. M. Rutherford and B. F. Owen.	23 00	July 5, 1846.		Saline			29 50							In full.
143	Elkins, Joshua.	William Elkins and Hugh Floyd.	90 00	April 18, 1848.		Clark			17 20			72 80	60 66	133 46	Solvent.	
144	Elkins, William.	Joshua Elkins and Hugh Floyd.	240 00	February 1, 1849.	6 45	same	December 21, '49.	Elkins, Elkins and Floyd.				246 54	64 16	310 70	Solvent.	
145	Ellis, Ralph.	Allen D. Burriss, J. J. Thompson and William Strong.	500 00	May 15, 1841.		St. Francis.	June 18, 1846.	Dismissed at cost of bank.	14 10			500 00	740 89	1,240 89	Debt lost.	
146	Elliott, Wright W.	Elliott H. Fletcher and William C. Trice.	700 00	June 20, 1840.		Crittenden	September 27, '41.	Elliott and Trice.				700 00	1,023 55	1,723 55	Insolvent.	
147	same	Thomas M. Collins and William C. Trice.	650 00	October 2, do.		same	same	Elliott, Collins and Trice.				650 00	921 67	1,571 67	Compromised as	In full.
148	Ethridge, John.	Elliott H. Fletcher and William D. Ferguson.	550 00	April 14, 1841.		same	October 28, 1846.	Ethridge, Fletcher and Ferguson.			180 00	550 00	720 35	1,270 35	Insolvent.	
149	Ennis, William.	William Goodrich, L. C. Howell and A. Clark.	400 00	March 6, 1842.		Pope	July 8, 1844.	Goodrich				400 00	530 13	930 13	Insolvent.	
150	Edmiston, Robert.	John Wilson and R. A. Walker.	100 00	May 1, 1849.	32 00	same			71 42	60 00						In full.
151	English, Elbert H.	Solon Borland and Samuel Johnson.	232 00	January 21, 1849.		Pulaski			100 00	91 98		74 40	36 04	110 44	Solvent.	
152	Eastman, Moses H.	Robert W. Johnson and T. D. Merrick.	220 00	June 6, 1847.		same		\$100—judgment before justice of the peace.	111 95	156 61						In full.
153	Emerson, Samuel A.	Samuel Floyd and George C. Miller.	375 00	October 1, 1842.		Hot Spring	January 9, 1844.	Emerson, Floyd and Miller.	532 45	36 25						In full.
154	Eter, William H.	B. P. Jett and R. C. Brady.	100 00	May 9, 1849.		Hempstead			62 62	51 50						In full.

A--Continued.

No. of note.	PRINCIPAL.	SECURITIES.	Amount of note.	Note when due.	Debit on ledger.	Residence of principal when note was given.	Date of judgment.	Names of parties against whom judgment was rendered.	Credits up to 31st Decem-ber, 1850.	Credits from 1st January, 1851, to 1st Sept., 1854.	Credits from 1st Septem-ber, 1854, to 1st Oct., 1858.	Amount of principal due 1st October, 1858.	Interest due to 1st Octo-ber, 1858.	Total amount of principal and interest due 1st Octo-ber, 1858.	Supposed condition of debtors and their securities.	REMARKS.
156	Field, William	Charles Rapley and James Pitcher	900 00	May 16, 1842		Pulaski	January 11, 1844	Bank								
157	same	Charles Rapley and Ben. Johnson	4,450 00	April 1, 1845		same			3,275 00	3,090 00						
158	same	James Lawson and John W. Cocke	340 00	same		same										
159	Fowler, Absalom	Albert Pike and Thomas W. Newton	4,850 00	July 27, 1844		same	November 16, '46	Fowler, Pike and Newton	1,462 33			1,721 43	1,514 81	3,236 24	Solvent.	In full.
161	Finley, Alexander	James Danley and Absalom Fowler	425 00	September 14, '40		same	March 10, 1841	Finley, Danley and Fowler	209 59			277 45	375 36	652 81		
161	Finn, Robert	David Royster and William S. Lockert	130 00	March 25, 1841		same	January 9, 1844	Finn and Royster	14 27			115 73	161 37	277 10	Insolvent.	In full.
162	Ferguson, Moses	William Sanders and A. H. Ferguson	55 00	January 15, 1848	6 62	Prairie			24 40	50 25						
163	Ford, Zoloc	W. W. Stevenson and Israel Morris	270 00	August 17, 1841		Pulaski	July 8, 1843	Stevenson				270 00	367 20	637 20	Insolvent.	In full.
164	Fairhurst, James	Nimrod Menefee and Christian James	130 00	April 19, 1842		Conway	January 8, 1844	Fairhurst and James				130 00	170 72	370 72	Insolvent.	In full.
165	Field, John	A. J. Armstrong and Samuel Moore	200 00	April 6, 1841		Hempstead	January 9, do	Armstrong and Moore	187 50	187 00						
165	same	T. M. R. Bankhead and W. L. Cook	270 00	May 12, 1841		same	June 20, do	Field and Bankhead	166 66	63 00	115 28	244 60	37 16	281 76	Solvent.	In full.
167	Foran, David	James P. Milwee and F. M. Foran	260 00	July 7, 1846		Sevier	December 21, '49	Foran, Milwee and Foran	73 66	238 00	102 50					
168	Fanning, John	William Strong and Isaac Mitchell	300 00	May 12, 1841		St. Francis	June 18, 1846	Dismissed				300 00	417 33	717 33	Debt lost.	In full.
168	Franks, Chesley	William D. Franks and M. W. Izard	240 00	May 15, 1843		same	July 4, 1844	Izard and W. D. Franks				237 00	295 20	532 20	Doubtful.	In full.
170	Ferguson, Wm. D.	George Redman, F. B. Reed and Wiley Lewis	4,450 00	August 7, 1841		Crittenden	July 5, do	Ferguson and Collins	295 35	114 75		4,450 00	5,694 30	10,144 30	Insolvent	(These debts comp'd as in full with the last payment, say \$727 45.
171	same	A. J. Greer and Brice A. Collins	450 00	November 5, 1841		same	May 15, 1848	Ferguson, Reed and Lewis		18 75	727 45	450 00	576 00	1,026 00	Insolvent	In full.
172	Fletcher, Elliott H.	John Thorn and John Etheridge	450 00	April 25, do		Mississippi	July 5, 1844	Fletcher	97 56		240 00	404 06	269 11	673 17	Compromised as	In full.
173	same	W. L. Ward and Elliott Hickman	550 00	October 21, 1842		same	same	Fletcher, Ward and Hickman			240 00	550 00	461 55	1,011 55	Compromised as	In full.
174	Finley, William M.	Jesse J. Finley and G. W. Underhill	220 00	October 20, 1844		same	October 28, 1845	Underhill				220 00	245 40	465 40	Doubtful.	In full.
175	Flenor, Abraham	William C. Thompson and Thomas N. Stayton	90 00	March 20, 1842		Phillips						90 00	119 00	209 00	Doubtful.	In full.
176	Faulkner, Sandford C.	Nicholas Faulkner and A. W. Webb	4,488 00	Sept. 15, 1847		Chicot	July 23, 1850	S. C. Faulkner and Webb	1 57						Assumed by L. A. Whiteley.	In full.
177	Fort, Lewis B.	W. N. Fort and J. N. Wilson	480 00	February 1, 1849		Lafayette			230 00	358 85						In full.
178	G. Christ, William	Samuel Mitchell and J. B. Mitchell	2,500 00	June 1, 1844		Pulaski	Nov. 25, 1845	Mitchell and Mitchell	968 31	3,244 36						In full.
179	Greer, David B.	Samuel M. Rutherford and A. H. Rutherford	270 00	April 1, do		same	June 4, do	Greer, Rutherford and Rutherford		45 00	498 40				Paid land	In full.
181	Gaines, Nathaniel T.	James Pitcher and Fred. W. Trapnall	200 00	do 1845		same	April 25, 1848	Gaines and Trapnall	92 70	233 50						In full.
181	Galloway, James B.	David W. Galloway and R. C. Byrd	1,750 00	Sept. 9, 1841		same	July 8, 1844	Byrd	443 19			1,535 66	1,894 40	3,430 06	Insolvent	In full.
182	Glass & Headington	Stephen Fagan and Simeon Buckner	180 00	May 20, 1840		same	Nov. 14, 1840	Glass, Headington and Buckner	16 05			163 95	238 98	402 93	Part'es all dead.	Debt lost.
183	Gray, Thos. W.	Francis Secrest and Pleasant McCraw	240 00	April 1, 1845		Prairie						240 00	297 60	537 60	Doubtful.	In full.
184	Gray, Samuel	Joel D. Conway and George M. Gray	280 00	May 1, 1849		Hempstead	Dec 21, 1849	Gray, Conway and Gray				280 00	210 26	490 26	Solvent.	In full.
185	Giles, James	J. C. Wilson and Morgan Cryer	550 00	October 29, 1840		Lafayette			275 00	350 00		399 66	129 59	529 25	Doubtful	Compromised in full.
186	Greer, Andrew J.	Elliott H. Fletcher and John Thorn	950 00	October 30, do		Mississippi	January 4, 1844	Thorn	82 02			867 98	1,160 45	2,048 43	Insolvent	Greer dead.
187	same	John Clark, G. W. Underhill and P. H. Swain	300 00	May 3, 1841		same	July 5, do	Underhill				300 00	418 00	718 00	Insolvent	Greer dead.
188	Goodwin, Leroy	A. J. Greer and A. Meinsinger	270 00	May 16, 1842		same	January 6, do	Meinsinger				270 00	354 10	624 10	Debt lost.	In full.
189	Grosse, James C.	Peter German and Aaron Yale	200 00	November 11, '41		Jefferson	June 18, 1846	Dismissed	38 00			162 00	219 12	381 12	Debt lost.	In full.
190	Gibert, P. W.	John C. Johnson, A. A. Brown, H. L. Evans and J. J. Thompson	2,000 00	June 16, 1840		St. Francis						2,000 00	2,926 66	4,926 66	Insolvent.	In full.
191	Greer, David B.	Robert W. Johnson and Samuel Adams	450 00	April 1, 1844		Pulaski	June 4, 1845	Greer, Johnson and Adams	612 50							In full.
192	Gullett, Benjamin F.	Hamilton Reynolds and Pleasant McCraw	300 00	do 1847		Prairie			140 60	249 00						In full.
193	Gaines, Edmond P.	James Pitcher and F. W. Trapnall	295 00	do 1845		Pulaski	April 25, 1848	Gaines and Trapnall	421 52							In full.
194	Graves, Thomas	Green B. Hughes and James Moore	33 00	July 3, do		Saline	Sept. 25, 1849	Gaines, Hughes and Moore		52 96						In full.
195	Green, George S.	Thomas Keesee and Gideon Keesee	310 00	March 1, do		same			247 62	200 00						In full.
196	Griggs, John M.	M. W. Izard and Thomas Griggs	405 00	April 17, 1842		St. Francis	January 4, 1844	Griggs, Izard and Griggs	579 28							In full.
197	Galloway, J. B.	L. Chase and R. L. Galloway	900 00	Jan'y 21 do		Pulaski	January 11, do	Galloway, Chase and Galloway	1,407 11							In full.
198	Galloway, R. L. jr.	R. L. Galloway, sr. and Hardy Robinson	600 00	April 1, 1845		same										In full.
199	Galloway, R. L.	R. L. Galloway, jr., R. C. Byrd and H. Robinson	670 00	July 27, do		same			1,887 82							Balance assumed by W. H. Sutton in full.
200	Galloway, R. L. sr.	R. L. Galloway, jr., D. W. Galloway and L. Chase	900 00	Sept. 1, do		same										In full.
201	Hawkins, Richard C.	William Field and Ambrose H. Sevier	1,100 00	April 1, 1844		same	Nov. 17, 1846	Hawkins, Field and Sevier	100 00							Balance assumed by H. M. Rector in full.
202	Howard, Isaac J.	John J. Clendennin and John Robins	250 00	same		same	June 12, 1845	Howard, Clendennin and Robins								In full.
203	same	same R. Gaines, J. W. Cocke and John Robins	475 00	same		same	same	Howard, Raynes, Robins, Cocke	815 82	350 00	400 00	356 98	108 27	465 25	Solvent.	In full.
204	same	same J. W. Cocke and F. W. Trapnall	475 00	same		same	December 16, '45	Howard, Clendennin, Cocke and Trapnall								In full.
205	Humphries, John	Joseph Kniffin, C. K. Brown and C. B. Humphries	640 00	January 8, 1849		White			353 60	170 00		195 37	110 27	305 64	Doubtful.	In full.
206	Hill, Middleton H.	William K. English and William White	45 00	April 9, 1842		Pulaski	December 21, '43	Hill and English				45 00	59 30	104 30	Insolvent.	In full.
207	same	Hardy Jones and William White	60 00	May 1, do		same	same	Hill and Jones				60 00	78 80	138 80	Insolvent.	In full.
208	Howel, Thomas J.	Jesse Brown and William R. Gibson	500 00	Aug. 3, do		same	January 9, 1844	Howell and Brown				500 00	646 66	1,146 66	Insolvent.	In full.
209	Hutchings, James A.	Sidney Blackburn and William Brown, sr.	140 00	Oct. 9, 1841		same	July 8, do	Hutchings, Blackburn and Brown		80 00		140 00	110 40	250 40	Compromised	Bank lost balance.
210	Hutt, Andie J.	L. J. Reardon, W. S. Hutt and Ebenezer Cummins	2,000 00	Dec. 24, 1848		same			553 50	1,848 78						In full.
211	Henderson, A. C.	Benjamin Clements and Henry F. Shaw	95 00	May 8, 1841		same	December 19, '43	Clements and Shaw				95 00	132 15	227 15	Insolvent.	In full.
212	Higgins, Alvarado K.	H. H. Higgins, N. Menefee and N. Phillips	150 00	March 25, 1842		Conway	January 9, 1844	Higgins and Higgins	3 78			146 22	193 93	340 15	Insolvent.	In full.
213	Higgins, H. H.	A. K. Higgins, D. D. Mason and E. Morrill	600 00	Feb'y 17, do		same	same	do do Mason et al				600 00	796 00	1,396 00	Insolvent.	In full.
214	Higgins, Harrison H.	A. K. Higgins, B. B. Ball and T. L. Shafer	240 00	March 15, do		same	same	H. H. Higgins				240 00	317 60	557 60	Insolvent.	In full.
215	Hughes, Green B.	Thomas Pack, A. R. Hockersmith and George C. Watkins	1,600 00	Sept. 1, 1849		Saline			495 30	525 95	1,338 50					In full.
216	same	same same	3,200 00	Feb. 1, do		same			1,035 76	3,825 95						In full.
217	Hockersmith, A. R.	Green B. Hughes and Thomas Pack	800 00	do 1848		same	January 3, 1850	Hughes, Pack and Hockersmith	430 60		884 87					In full.
218	same	same same	300 00	do same		same	January 5, do	do do do			612 69					In full.
219	Hooper, Elias	William Calvert and Ezra M. Owen	200 00	April 6, 1841		same	January 8, 1844	Hooper, Calvert and Owen				200 00	279 45	479 45	Insolvent.	In full.
221	same	Ardin Pelton and Ashley B. Bates	270 00	May 24, do		same	same	Hooper, Pelton and Bates				270 00	369 00	639 00	Insolvent.	In full.
222	Hudson, Thomas C.	James Dorriess and Joseph Gray	538 00	July 1, 1848		Hempstead			350 00	210 00	98 42					In full.
223	same	same same	225 00	December 7, '42		Clark	January 6, do	Hudson and Dorris	7 61			217 39	275 32	492 71	Insolvent.	In full.
224	Hawkins, William B.	John J. Carson and William Cummins	350 00	April 10, 1843		same	January 8, do	do do and Gray				350 00	432 00	782 00	Insolvent.	In full.
225	Hudspeth, Charles M.	John H. Reed, T. J. Sutton and John R. Barkaloo	100 00	December 15, '41	2 85	Lafayette						102 85	134 33	237 18	Insolvent.	In full.
226	Hanger, Peter	No security	650 00	August 13, 1840		Crawford	May 6, 1842	Hudspeth, Sutton, Reed and Barkaloo				650 00	942 49	1,592 49	Insolvent.	In full.
227	Hunter, Sanders	James S. Dorriess and John Holbert	534 66	April 2, 1848		Pulaski	May 13, 1850	Hanger	25 00		871 88					Paid in full.
228	Holbert, John	same and William King	75 00	October 14, 1840		St. Francis			4 10			70 90	101 59	172 49	Insolvent.	In full.
229	Hubbard, Archibald B.	A. S. Bell and J. A. Alexander	90 00	June 5, do		same						90 00	131 90	221 90	Insolvent.	In full.
230	Harrison, John	P. Costar and William Brickey	180 00	Dec. 12, 1848		Crittenden	July 23, 1850	Hubbard, Bell and Alexander	95 15		120 00	52 54		52 54	Solvent.	In full.
231	Hampton, Daniel W.	Benjamin P. Gaines and W. W. Rose	140 00	Feb. 12, 1840		Monroe	Nov. 14, 1840	Costar	60			140 00	207 75	347 75	Insolvent.	In full.
232	Holson, Rawlah	Benjamin P. Gaines and W. W. Rose	430 00	May 7, 1841	5 14	Chicot	January 9, 1844	Hampton, Gaines and Rose				435 14	563 99	999 13	Solvent.	In full.
233	Higgins, Wm. F.	Thomas H. Rives and William J. Neale	200 00	Sept. 1, 1845		same	August 1, 1850	Holson, Rives and Neale	116 93			145 90	102 13	248 03	Doubtful.	In full.
234	Hughes, James	N. H. Izard and Moses Trimble	450 00	Feb. 29, 1839		St. Francis	September 13, '39	Higgins, Izard and Trimble				450 00	705 00	1,155 00	Insolvent.	In full.
		John Blocker and W. H. Preston	500 00	May 1, 1846		Pike	November 2, '48	Blocker and Preston		865 83						In full.

A--Continued.

No. of note.	PRINCIPAL.	SECURITIES.	Amount of note.	Note when due.	Debt on ledger.	Residence of principal when note was given.	Date of judgment.	Names of parties against whom judgment was rendered.	Credits up to 31st Decem-ber, 1850.	Credits from 1st January, 1851, to 1st Sept., 1854.	Credits from 1st Sept'r., 1854, to 1st Oct., 1858.	Amount of principal due 1st October, 1858.	Interest due to 1st Octo-ber, 1858.	Total amount of principal and interest due 1st Octo-ber, 1858.	Supposed condition of debtors and their securities.	REMARKS.
235	Hardy, H. K.	J. Barkman and J. E. M. Barkman.	600 00	January 1, 1849.		Clark.	January 29, 1850	Hardy, Barkman and Barkman.		712 80		150 02	57 50	207 52	Solvent.	
236	Hatt, Andre J.	W. W. Adams and A. W. Webb.	510 00	March 1, 1849.		Pulaski			643 33						In full.	
237	same	Wm. S. Hatt.	14 00	June 2, 18 8.		same			144 67	17 92					In full.	
238	Holyfield, James.	Jasper W. Comstock and Robert Tweedy.	30 00	January 1, 1848.		Conway			38 00						In full.	
239	Hopkins, Francis.	Thomas Hubbard and R. L. Phillips.	1 00	January 1, 1849.		Hempstead.			110 00	70 60					In full.	
240	Herndon, Fleetwood.	J. D. Herndon and L. B. Fort.	100 00	April 20, 1849.		Lafayette			246 28	209 33					In full.	
241	Hay, William B.	Rawlah Holson and Leroy Goodwin.	2 50	Dec. 4, 1841.		Crittenden	Nov. 3, 1845.	Holson for \$200 only.		407 00					In full.	
242	Harvick, William.	J. R. and P. Harvick, and James Duncan.	100 00	June 12, 1848.		Monroe			64 44	50 00					In full.	
243	Hanly, Thomas B.	Jos. S. McKeel, Wm. E. Butts and John Burriss.	600 00	October 11, 1840.		Phillips	January 6, 1844.	Hanly, McKiel and Butts.	1,140 16						In full.	
244	Hempstead, B. F.	R. L. Phillips.	135 00	April 21, 1848.		Hempstead.			215 43						In full.	
245	Hughish, Wm. K.	Lorenzo Gibson and Wm. R. Gibson.	250 00	July 18, 1842.		Pulaski	January 9, 1844.	English and Gibson.				250 00	323 88	573 88	Insolvent.	
246	Imbrau, Julien.	James DeBaun and George Waring.	270 00	June 24, 1844.		Jefferson.	April 20, 1847.	DeBaun and Waring.				270 00	307 80	577 80	Insolvent.	
247	Izard, N. H.	W. M. Fulkerson and W. Martin.	800 00	April 16, 1839.		St. Francis.	Sept. 13, 1839.	Izard, Fulkerson and Martin.				800 00	1,245 32	2,045 32	Insolvent.	
248	Johnson, John W.	James Pitcher and G. C. Watkins.	2,000 00	May 10, 1841.		Pulaski	May 11, 1846.	Johnson and Pitcher.				2,000 00	2,772 95	4,772 95	Debt lost.	
249	Johnson, E. L. & J. A. Simpson.	S. C. Faulkner and W. P. Rebyurn.	1,500 00	July 31, 1841.		same	July 8, 1844.	All the parties.				1,500 00	2,060 00	3,560 00	Insolvent.	
250	Johnson, G. V. C.	P. M. Bush, John C. Johnson and Eli Lewis.	600 00	Nov. 25, 1841.		St. Francis.	same	G. V. Johnson and Lewis.				600 00	848 00	1,408 00	Insolvent.	
251	Jeitres, Charles L.	Wood Tucker and Wm. Gilchrist.	275 00	June 5, 1841.		Pulaski			213 00			95 00	120 12	215 12	Insolvent.	
252	Johnson, Euclid L.	Wm. P. Rebyurn and Elias Rector.	450 00	April 6, 1841.		same	July 8, 1844.	Johnson and Rector.				450 00	629 50	1,079 50	Insolvent.	
253	Joiner, Johnson J.	Ezra M. Owen and Thomas Pack.	525 00	April 1, 1845.		Saline	Oct 26, 1848.	Joiner, Owen and Pack.	375 00			344 00	243 19	587 19	Solvent.	
254	Jett, James P.	Wm. H. Etter and Bernard F. Hempstead.	135 00	May 20, 1846.		Hempstead.	June 24, 1849.	Jett, Etter and Hempstead.	40 25	162 87					In full.	
255	Johnson, John C.	A. A. Brown, J. J. Thompson, J. Flanagan and P. W. Gilbert.	1,500 00	July 26, 1841.	4 50	St. Francis.						1,504 50	2,060 00	3,564 50	Insolvent.	
256	same	A. A. Brown and W. P. Gilbert.	1,500 00	October 6, 1841.		same						1,500 00	2,060 00	3,560 00	Insolvent.	
257	James, John R.	Wright W. Elliott and Wm. Strong.	550 00	Nov. 5, 1840.		same	Sept. 27, 1841.	James, Elliott and Strong.				550 00	787 71	1,337 71	Insolvent.	
258	James, Joshua F.	Wright W. Elliott and George Redman.	560 00	Aug. 13, 1849.		Crittenden	same	Elliott and Redman.				560 00	811 95	1,371 95	Insolvent.	
259	Johnson, Joel & B. Williams.	James Pitcher and Emzy Wilson.	200 00	March 1, 1844.		Chicot.	Nov. 3, 1845.	Johnson, Williams and Wilson.	114 66			114 67	122 84	237 51	Solvent.	Lost by limitation.
260	Johnson, E. L. & B. Williams.	John W. Coke.	225 00	April 1, 1844.		Pulaski	April 23, 1847.	Coke.				225 00	261 00	486 00	Insolvent.	
261	Jackson, James B.	Freeman E. Patrick and W. H. Patterson.	300 00	Nov. 12, 1847.		St. Francis.	Dec. 21, 1849.	Jackson, Patrick and Patterson.		451 20					In full.	
262	Johnson, William.	Charles B. Mitchel and C. K. Witter.	210 00	February 1, 1848.		Hempst ad.	same	Johnson, Mitchel and Witter.	30			210 00	170 00	380 00	Solvent.	
263	Johnson, Euclid L.	Bond as bank attorney.	9 11	February 1, 1845.		Pulaski.									Paid by securities.	In full.
264	Johnson, R. M.	Mortgage on lands and negroes.	23,000 00	January 1, 1840.		State of Kentucky.			34,458 04						In full.	
265	Jett, Benjamin P.	Daniel T. Witter and J. W. Finley.	220 00	April 27, 1847.		Hempstead.	Dec. 21, 1849.	Jett, Witter and Finley.	310 40						In full.	
266	Johnson, Joel.	Benjamin Johnson and John T. Johnson, jr.	6,200 00	Sept. 1, 1846.		Chicot.	July 2, 1849.		3,424 87	5,063 85					In full.	
267	Kemmerly, William.	Gilbert C. Kemmerly and Charles W. Elliott.	110 00	August 22, 1842.		Pulaski	Jan. 9, 1844.	G. C. Kemmerly and Elliot.				110 00	141 62	251 62	Insolvent.	
268	Kazia, Hiram.	Ezra Crowell and Seldon Tryon.	300 00	April 13, 1841.		Pike.	June 18, 1846.	Dismissed at cost of bank.				300 00	408 00	708 00	Debt lost.	
269	Krebs, Charles J.	C. P. Bertrand, (specie)	450 00	Sept. 13, 1850.		Pulaski		Krebs and Bertrand.		612 12					Specie	In full.
270	Keth, Willard.	W. E. Woodruff and R. Beebe.	120 00	April 1, 1849.		same			120 00						In full.	
271	King, Rufus H.	Wm. Arnett and Lewis Allen.	210 00	March 19, 1845.		Hempstead.	April 18, 1846.	Arnett and Allen.	100 00						Compromised.	In full.
272	Keating, John.	Isaac N. Jackson and J. S. Dollarhide.	44 00	June 16, 1848.		Sevier.			48 00						In full.	
273	Kesee, George.	Robert Calvert.	150 00	March 1, 1849.		Saline.			60 40	117 00					In full.	
274	Krebs, Charles J.	C. P. Bertrand, (specie)	450 00	Sept 13, 1849.		Pulaski			473 62						In full.	
275	Levy, Jonas	Jacob W. Parker and Hyman Mitchell.	90 00	June 30, 1849.		same									In full.	
276	same	Wm. E. Woodruff and George Brodie.	5 00	same		same			237 00	495 00	451 48				In full.	
277	Line, Lemuel R.	D. Marchand.	2,500 00	April 1, 1850.	258 99	same		Marchand and Lincoln's estate.			2,988 66	1,195 32	135 10	1,330 42	Insolvent.	
278	Lumbert, David.	Wm. Cummins and Simeon Buckner.	700 00	July 23, 1849.		same	Sept. 25, 1842.	Cummins and Buckner.				700 00	1,017 33	1,717 33	Debt lost.	Parties dead.
279	Leech, John H.	Henry F. Shaw.	115 00	Dec 24, 1847.		same		Shaw and Brown, before Hutchings.	58 95						Bal. assumed by Shaw, & new note.	
280	Lemoyne, George W.	F. L. Lemoyne and John Quindley.	100 00	January 28, 1849.	2 67	Conway			58 50			50 00	39 64	80 64	Lemoyne says he paid this note.	
281	Leech, Jacob	Finas Lecon and Daniel Leech.	80 00	April 1, 1849.		Saline.			47 36	40 00	in specie				In full.	
282	Lockemy, Wm.	D. C. McDaniel and George S. Green.	13 00	April 1, 1845.	2 09	same						15 09	14 04	29 13	Doubtful.	
283	Lackland, Allen B.	W. S. Smith and R. S. Tate.	115 00	Sept. 1, 1846.		Clark.	Dec. 21, 1849.	Lackland, Smith and Tate.	26 15	159 25					In full.	
284	Lewis, Wiley.	Wilson Thomas and David Spurlock.	276 00	Nov. 12, 1840.		Crittenden	Jan. 4, 1844.	Lewis, Thomas and Spurlock.				276 00	394 82	670 82	Insolvent.	
285	Lacy, Thomas J.	A. Pike, A. Fowler and G. N. Causin.	1,00 00	Feb. 24, 1845.		Desha.		Bank—writ of error to Supreme Court.	279 79			1,080 21	1,125 00	2,205 21	Doubtful, Lacy dead.	
286	Lenox, John H.	George W. Stokes and James W. Felts.	200 00	May 7, 1842.		Arkansas.	July 8, 1844.	Stokes.	10 00			190 26	249 55	439 81	Solvent.	
287	Lockert, Wm. S.	Charles Caldwell and James Pitcher.	1,440 00	April 1, 1844.		Saline.			1,800 00						In full.	
288	same	Josiah Brooks and Peter Devall.	120 00	April 10, 1847.		same									In full.	
289	Lindsey, Joseph.	Paulo Howell and Thomas Fletcher.	100 00	April 1, 1849.		same			59 51	50 82					In full.	
290	Logan, Benj. C.	Jacob W. Logan and James S. Ward.	80 00	Sept. 1, 1849.	15 46	Clark.	Aug. 31, 1851.	Logan, Logan and Ward.		95 57					In full.	
291	Logan, John	John R. H. Scott and R. W. Jamison.	160 00	January 16, 1849.		Pope.			95 60	80 33					In full.	
292	McCurdy, Samuel.	Samuel Miller and William Cummins.	1 00	October 9, 1841.		Pulaski	July 8, 1844.	Miller and McCurdy.				140 00	189 70	329 70	Doubtful.	
293	Mills, James.	William Mills and Basil Crowley.	240 00	Feb. 26, 1843.		same	Jan. 9, 1844.	Mills and Mills.		100 00		240 00	82 40	322 40	Insolvent.	Compromised as in full.
294	Mills, William.	G. F. Hancock and N. B. Baldwin.	54 00	April 1, 1849.		same			33 50	29 00	in specie.				In full.	
295	McDonald, Daniel.	R. C. Bird and William Brown, sr.	600 00	April 12, 1841.		same	July 8, 1844.	Byrd and Brown.	83 93			516 27	717 82	1,234 09	Insolvent.	Compromised as in full.
296	same	same	640 00	Oct. 22, 1841.		same		same				640 00	866 34	1,506 34	Insolvent.	Compromised as in full.
297	Menefee, James.	Joshua J. Lewis and Nimrod Menefee.	400 00	June 20, 1842.		Conway.		James Menefee.				400 00	520 88	920 88	Insolvent.	
298	Menefee, Nimrod.	B. F. Howard and Dudley D. Mason.	1,300 00	June 14, 1842.		same	August 1842.	Estate of N. Menefee.	52 71	1,014 81		1,180 32	676 77	1,857 09	Debt lost.	
299	Murphy, Benjamin.	B. B. Hall and Reuben J. Bunt.	400 00	April 14, 1841.		same	July 8, 1844.	Murphy.	61 06			362 40	483 90	845 30	Insolvent.	
300	Mason, Dilis V.	James R. Montgomery and Russell Welborn.	210 00	Oct. 22, 1842.		same	Jan. 12, 1844.	Bank, plea bankruptcy.				210 00	267 77	477 77	Debt lost.	
301	Menefee & Phillips.	same	425 00	Oct. 1, 1841.		same		same				425 00	612 00	1,037 00	Debt lost.	
302	Moreland, Jeremiah.	James Maddin and William W. E. Moreland.	520 00	Aug. 28, 1844.		Johnson.	June 19, 1851.	Thomas Maddin, as administrator.	2 85		525 00	517 15	57 61	574 76	Solvent.	Compromised as in full.
303	Maddin, James.	Jeremiah Moreland and Thomas Maddin.	650 00	same		Johnson.	same	same	50		675 00	649 50	56 60	706 10	Solvent.	Compromised as in full.
304	Moore, James.	Robert Calvert.	602 00	Sept. 1, 1846.	35 00	Saline.			366 57						In full.	
305	McCarty, Jarrett.	William S. Lockert, S. Nixon and William Duncan.	475 00	Dec. 18, 1840.		same			38 00			475 00	626 50	1,101 50	Debt lost.	
306	same	William S. Lockert, John C. Marler and William Duncan.	885 00	Feb. 7, 1841.		same	Oct. 29, 1845.	Bank, plea bankruptcy.				885 00	1,249 45	2,134 43	Debt lost.	
307	Marler, John C.	William S. Lockert and William Duncan.	95 00	Feb. 21, 1841.		same			8 20			95 00	124 03	219 03	Debt lost.	
308	same	William S. Lockert and William M. Scott.	390 00	June 14, 1841.		same		Bank, plea bankruptcy.				390 00	537 40	927 40	Debt lost.	
309	McLaughlin, James L.	T. J. McLaughlin, William Smart and Joshua Elkins.	370 00	April 1, 1846.		Clark.	June 5, 1849.	McLaughlin and McLaughlin.				370 00	430 20	800 20	Doubtful.	
310	McCargo, Radford.	M. Bozeman and F. J. Browning.	240 00	May 21, 1842.		same	Jan. 6, 1844.	All the parties.			256 60				In full.	
311	Milwee, James P.	J. W. Milwee and L. N. Jackson.	150 00	June 16, 1847.		Sevier.	July 25, 1850.	same	62 95	275 00					In full.	
312	Mitchell, Isaac.	Wm. Strong and Allen D. Butts.	500 00	May 15, 1841.		St. Francis.	June 18, 1846.	Bank, for cost.				500 00	694 99	1,194 99	Debt lost.	
313	Morris, Amon P.	L. D. Maddox and Wm. Pybury.	320 00	May 16, 1840.		Monroe.	Jan. 6, 1844.	Morris and Pyburn.				320 00	470 80	790 80	Insolvent.	

5
A--Continued.

No. of note.	PRINCIPAL.	SECURITIES.	Amount of note.	Note when due.	Debit on ledger.	Residence of principal when note was given.	Date of judgment.	Names of parties against whom judgment was rendered.	Credits up to 31st December, 1850.	Credits from 1st January, 1851, to 1st September, 1854.	Credits from 1st September, '54, to 1st October, 1855.	Amount of principal due 1st Oct'r 1855.	Interest due to 1st October, 1855.	Total amount of principal and interest due 1st October, 1855.	Supposed condition of debtors and their securities.	REMARKS.
314	Martin, James.	Hugh McCarry and John C. McCarry.	100 00	February 22, 1842		Phillips.			1 10			100 00	131 72	231 72	Insolvent.	
315	Miles, Mary B.	Anthony H. Davies and John Clark.	2,700 00	May 25, 1841		Chicot.	July 2, 1850.	J. B. Miles and Davies.	1,533 58	4,123 13						In full.
316	Mitchell, Sam'l adm'r of Gilchrist	Samuel Mitchell and Jesse B. Mitchell.	500 00	October 2, 1844.		Arkansas			25 00	238 17		456 83	219 27	676 10	Solvent.	
317	Mason, William.	Antoine Barraque and John Manuel.	40 00	June 27, 1842.		Jefferson.	December 12, '43	Mason and Manuel.	88 00							{Compromised—bank received half collected.
318	Morrison, William.	Alvadore K. Higgins and I. J. Howard.	90 00	April 12, 1842.		State of Indiana.						90 00	118 58	208 58	Debt lost.	
319	McHenry, Samuel G.	Jonathan Iron and Jerrett McCarty.	400 00	February 10, 1842		Conway.	November 14, '40	McCarty				400 00	596 42	996 42	Debt lost.	
320	Moore, Joseph.	James Pitcher and W. W. Adams.	70 00	April 6, 1845.		Pulaski			100 50							
321	Mannuel, John.	James B. Keatts and F. W. Trapnall.	175 00	September 1, 1844		same	April 4, 1847.	Manuel, Keatts and Trapnall.	254 81							In full.
322	Marcus, Edward.	S. Nixon, N. B. Bates and A. Pelton.	200 00	April 6, 1841.		same	September 29, '41	All the parties.	299 00							In full.
323	Montgomery, James R.	A. G. Brent and Thomas S. Haynes.	220 00	September 1, 1844		Conway.	January 4, 1846.	Haynes and Brent.		340 00						In full.
324	Menefee, Nimrod.	Thomas S. Haynes and Russell Welborn.	450 00	February 10, 1842		same	August, 1842.	Estate of Menefee, deceased.	480 11							In full.
325	same.	James Menefee and B. F. Howard.	400 00	May 28, 1842.		same	same	Estate of N. Menefee, do	674 22							Compromised as in full.
326	Murray, John.	Peter Kuykendall and William Standlee.	220 00	June 29, 1847.		same			170 00							In full.
327	Mason & Morrill.	Eli Bently and James Maddux.	90 00	July 1, 1849.		same			30 00	68 90						In full.
328	McDaniel, David C.	Robert Calvert and Joseph Lindsey.	1,100 00	April 1, 1849.		Saline.			401 50	947 66						In full.
329	Morrow, Arthur.	William M. Scott and Madison McLoud.	70 00	same		same			73 50							In full.
330	McKean, Joseph W.	George Hill and Henry Cheatham.	280 00	July 5, 1845.		Sevier.			364 30							In full.
331	Mitchel, Charles B.	Joel D. Conway, James Gibson and R. L. Phillips.	220 00	May 17, 1847.		Hempstead.	June 6, 1850.	All the parties.	272 84							In full.
332	Meinsinger, Anthony.	George W. Underhill and Leroy Goodwin.	270 00	May 16, 1842.		Crittenden.	July 2, 1844.	Meinsinger and Underhill.	100 00	367 06						In full.
333	McKiel, Josiah S.	William B. McKiel and R. H. Yeates.	650 00	August 13, 1840.		Phillips.	January 5, 1844.	All the parties.	992 50							In full.
334	McKiel, William B.	Josiah S. McKiel and R. H. Yeates.	650 00	same		same	same	same	75 13	1,240 90						In full.
335	Mitchell, Samuel.	William Gilchrist and Jesse B. Mitchell.	1,160 00	June 1, 1844.		Arkansas.	November 25, '45	Mithell and Mitchell.	1,695 14							In full.
336	Mitchell, Jesse B.	William Gilchrist and Samuel Mitchell.	220 00	same		same	same	same	321 50							In full.
337	Merriwether, Joseph M.	Wood Tucker and Drew White.	55 00	April 1, 1848.		Jefferson.			61 40							In full.
338	Mitchell, Hyman.	John Brown and Jonas Levy.	80 00	June 1, 1845.		Pulaski			93 10							In full.
339	Newton, Thomas W.	Albert Pike and Luther Chase.	5,500 00	January 7, 1849.		same		All the parties.	2,741 00	3,151 84		460 00	218 00	678 00	Solvent.	
340	Nelson, Charles T.	Norborne T. Nelson and H. M. Robinson.	170 00	April 17, 1840.		Hempstead.	November 14, '40	same				170 00	251 40	421 40	Insolvent.	
341	Neely, Andrew J.	T. B. Reed and C. N. Blackmore.	550 00	October 22, 1840.		Crittenden.	September 27, '41	same				550 00	748 00	1,298 00	Insolvent.	
342	Nelson, John H.	William Nelson and Joseph D. Stewart.	120 00	April 21, 1848.		Clark.			51 00	90 00						In full.
343	Norris, Samuel.	Robert Davidson and J. H. Brearly.	355 00	June 20, 1848.		Pope.			256 81	140 00						In full.
344	Owen, Ezra M.	Thomas Pack and Green B. Hughes.	900 00	July 1, 1844.	18 31	Saline.	June 4, 1845.	All the parties.		600 00		900 00	544 00	1,444 00	Solvent.	
345	Obaugh, James H.	S. W. Reyburn, S. A. Emerson and Samuel Miller.	425 00	June 4, 1843.		Hot Spring.	October 2, 1847.	Obaugh, Reyburn and Emerson.	170 00			308 36	335 07	643 43	Doubtful.	
346	Overbaugh, George.	Benjamin C. Logan and Jacob W. Logan.	21 00	August 1, 1845.		Clark.			21			21 00	21 77	42 77	Doubtful.	
347	Oden, Henry D.	Archibald B. Hubbard and W. A. Johnson.	1,000 00	August 6, 1838.		Crittenden.	March 4, 1840.	Oden and Johnson.				1,000 00	1,612 05	2,612 05	Insolvent.	
348	Pike, Albert.	Luther Chase and James Lawson.	945 81	June 4, 1848.		Pulaski		Pike.	408 83	881 72						In full.
349	Peay, Gordon N.	William F. Pope and Letitia Neel.	425 00	May 1, 1845.		same			213 50	608 60						In full.
350	Phillips, Nelson.	Russell Welborn and N. Menefee.	1,050 00	October 20, 1841.		Conway.	January 12, 1844.	Bank—plea of bankruptcy.	85 58	4 00		1,050 00	1,337 75	2,387 75	Insolvent.	
351	Pack, Thomas.	Green B. Hughes and A. R. Hockersmith.	330 00	February 1, 1849.	66 63	Saline.	December 21, '49	All the parties.	100 00		528 15					In full.
352	Pelton, Atlin.	Thomas Pack and A. R. Hockersmith.	300 00	February 1, 1848.	6 53	same	same	same	40 00	174 44	255 00					In full.
353	same	J. W. Shappoch and A. R. Hockersmith.	140 00	November 1, do		same	same	same	40 00	146 42						In full.
354	Pryor, Richard.	Robert Carrington and H. C. Boyd.	3,550 00	May 1, 1845.		Hempstead.			2,437 67	3,318 50						In full.
355	Pryor, David L.	Thomas J. Curl and William Strong.	600 00	February 16, 1841.		St. Francis.			52			600 00	846 00	1,446 00	Insolvent.	
356	same	J. J. Thompson and William Strong.	500 00	May 10, 1841.		same						500 00	695 55	1,195 55	Insolvent.	
357	Powell, Thomas E.	Wm. Strong, B. M. Burris, J. J. Thompson and G. B. Merrick.	2,550 00	June 19, 1841.		same	November 24, '42	Powell, Strong and Merrick.				2,500 00	3,455 55	5,955 55	Insolvent.	
358	Pullen, John W.	S. H. Davis and James W. Felts.	100 00	May 30, 1842.	7 70	Arkansas.						107 70	130 66	238 36	Insolvent.	
359	Pyburn, William.	A. P. Morris and D. L. Jackson.	320 00	May 16, 1842.		Monroe.	January 6, 1844.	All the parties.	2 00			320 00	419 20	739 20	Insolvent.	
360	Perciful, John.	Lorenzo Gibson and James Danley.	300 00	February 28, 1841.		Pulaski	September 30, '41	same	300 00							In full.
361	Pendleton, H. F.	John Robins and James Pitcher.	3,000 00	April 1, 1844.		same	April 3, 1845.	Pendleton and Robins.	4,571 00							Paid in lands in full.
362	Perciful, John.	George C. Watkins, D. M. Perciful and William P. Dedman.	1,030 00	March 1, 1848.		Prairie.			905 16	179 32						In full.
363	same	George C. Watkins and D. M. Perciful.	450 00	April 1, 1849.		same			294 14	214 05						In full.
364	Pope, William F.	Gordon N. Peay and W. W. Adams.	300 00	January 1, 1849.		Pulaski				354 00						In full.
365	Patrick, I. E.	Thomas L. Casbeer, C. L. Sullivan and A. A. May.	735 00	May 1, 1847.		St. Francis.	January 20, 1850.	All the parties.	435 00	425 25						In full.
366	Pettit, William McD.	William H. Gaines and A. H. Davies.	5,200 00	November 5, 1846		Chicot.	July 29, 1850.	same	5,143 19	1,066 64						In full.
367	Phillips, William.	James Scull, jr., and William Wright.	330 00	February 1, 1848.		Jefferson.			134 75	292 94						In full.
368	Quindley, John.	Phillip W. Roberts.	100 00	May 1, 1849.	43 37	Conway.			48 37	167 48						In full.
369	Rapley, Charles.	William Field and Henry M. Rector.	175 00	April 1, 1846.		Pulaski		All the parties.	40 00	225 25						In full.
370	Robinson, Hardy.	C. F. M. Robinson.	490 00	September 14, '49		same			292 70	266 22						In full.
371	Roster, David.	William Gilchrist and John Perciful.	320 00	May 1, 1841.		same	November 24, '42	All the parties.				320 00	446 37	766 37	Insolvent.	
372	Rector, Henry M.	James Pitcher and Wharton Rector.	1,000 00	July 28, 1840.		Saline.	July 8, 1844.	H. M. Rector and James Pitcher.	119 86	750 00	1,915 21					Last payment made in lands
373	same	F. W. Trapnall and William Field.	300 00	April 20, 1840.		same		All the parties.			530 33					Paid in lands in full.
374	Raynes, Reuben.	William Gilchrist and James Lawson, jr.	100 00	February 5, 1842.		Pulaski	January 9, 1844.	Raynes and Lawson.								In full.
375	same	do do	1,060 00	October 24, 1842		same	same	same	1,521 45							In full.
376	Raynes, Nancy.	John Humphries and James M. Dodd.	170 00	May 1, 1845.		same	July 9, 1849.	Bank—plea limitation.				170 00	182 46	352 46	Debt lost.	
377	Richards, n. Giles.	Thomas Pack and A. R. Hockersmith.	180 00	October 26, 1849.		Saline.						180 00	127 29	307 29	Solvent.	
378	Rambo, Reuben J.	J. Burkin and J. E. M. Burkman.	350 00	April 1, 1844.		Clark.	October 28, 1845.	All the parties.	446 90							In full.
379	Rector, Elias.	S. M. Rutherford and E. Walters.	100 00	same		Crawford.	May 1, 1849.	Bank—plea limitation.				100 00	119 00	219 00	Debt lost.	
380	Rust, Albert.	W. M. Beall, J. S. Conway and W. Prather.	2,000 00	December 23, '39		Union.	November 10, '40	Rust, Conway and Prather.	1,571 03			723 63	710 95	1,434 58	Solvent.	
381	Reynolds, William P.	E. L. Johnson and S. C. Faulkner.	255 00	January 31, 1841.		Pulask	July 8, 1844.	Johnson and Faulkner.				255 00	369 40	615 40	Insolvent.	
382	Righter, Nicholas.	Henry L. Bascoe and R. H. Yeates.	500 00	October 19, 1840.		Phillips.	November 3, 1842	Estate of N. Rightor.				500 00	715 55	1,215 55	Doubtful.	
383	Roby, William P.	D. L. Johnson and S. C. Faulkner.	1,000 00	February 16, 1841		Pulaski.	May 9, 1842.	All the parties.				1,000 00	1,409 99	2,409 99	Insolvent.	
384	Conner, Barton.	Phos. J. Lacy, L. E. Buber, G. N. Causin and Wm. Trimble.	465 00	January 29, 1845.		Jefferson.						376 69	578 73	955 42	Debt lost.	Statute pleaded.
385	Robt. W. Prather.	Hugh McCarty and James Martin.	90 00	February 22, 1842		Phillips.	February 15, 1850	Bank, appeal to supreme court.	102 70			90 00	119 95	209 95	Doubtful.	
386	Robt. W. Prather.	L. Read and William B. Cat.	2,350 00	May 1, 1849.		Pulaski			2,302 50							In full.
387	Robt. W. Prather.	E. D. Robins and D. J. Baldwin.	280 00	October 12, 1849.		same			97 98	229 60						In full.
388	Robt. W. Prather.	S. M. Rutherford.	340 00	April 1, 1846.		same		All the parties.	503 00							In full.
389	Robt. W. Prather.	Henry Benquet and Enos Payne.	125 00	same		Conway.			140 30							In full.
390	Robt. W. Prather.	Green B. Hughes and James Cox.	110 00	April 18, 1841.		Saline.	January 8, 1844.	Hughes and Cox.		179 42						In full.
391	Robt. W. Prather.	Robert Calvert.	899 00	September 1, 1847		same	December 29, '49	All the parties.	1,074 99							In full.

A--Continued.

No. of note.	PRINCIPAL.	SECURITIES.	Amount of note.	Note when due.	Debit on ledger.	Residence of principal when note was given.	Date of judgment.	Names of parties against whom judgment was rendered.	Credits up to 31st Decem-ber 1850.	Credits from 1st January, 1851, to 1st Sept., 1854.	Credits from 1st Septem-ber, 1854, to 1st Oct., '58.	Amount of principal due 1st October, 1858.	Interest due to 1st Octo-ber, 1858.	Total amount of principal and interest due 1st Oc-tober, 1858.	Supposed condition of debtors and their securities.	REMARKS.
392	Redman, George	W. D. Ferguson, R. J. Nelson and R. T. Redman	450 00	Nov. 4, 1841		Crittenden	July 4, 1844	All the parties								
393	same	W. D. Ferguson, J. S. McKiel, R. J. Nelson and R. T. Redman	1,500 00	Dec. 16, 1841		same	same	same	1,899 23	1,398 32						In full.
394	Rankin, Robert P.	William Yerby and Henry Yerby	2,700 00	Sept. 15, 1844		Phillips	April 30, 1845	same	3,836 94							In full.
395	Robinson, John H.	John Stelfox and George B. Hayden	900 00	February 16, 1850		Pulaski		same	900 00							In full.
396	Robinson, Hardy	L. Gibson and James Lawson, jr.	250 00	July 18, 1842		same	October 29, 1846	All the parties	412 57							In full.
397	Royster, David	Thomas W. Newton and R. Moseby	800 00	March 1, 1849		same		same	295 34	644 00						In full.
398	Shaw, Henry F.	John R. Barkaloo and James Pitcher	210 00	March 13, 1842		same	July 8, 1844	Shaw and Pitcher				210 00	277 81	487 81	Insolvent.	
399	same	John Hutt and R. C. Byrd	450 00	June 14, 1842		same	same	All the parties				450 00	586 50	1,036 50	Insolvent.	
400	same	G. B. King and R. C. Byrd	300 00	Sept. 1, 1847		same			210 50	75 00		65 00	36 83	101 83	Solvent.	
401	Sanger, Stephen S.	William Pelham and Thomas W. Newton	610 00	April 1, 1848		same			232 04			460 00	309 72	769 72	Solvent.	
402	Sprague, Alden	James McVicar and John Robins	1,800 00	do 1846		same	March 9, 1849	McVicar and Robins	750 00	888 00	Bal. assumed by Mr. Woodruff, and new note put in	300 00	419 00	719 00	Insolvent.	In full.
403	Smith, Jefferson	Henry F. Shaw and George Waring	300 00	April 14, 1841		same	Sept. 29, 1841	All the parties				300 00	419 00	719 00	Insolvent.	
404	same	A. H. Rutherford and George Waring	240 00	May 19, 1841		same		same				240 00	333 00	573 00	Debt lost.	
405	Smith, Green L.	John J. Rankin and L. Bushnell	95 00	Oct. 30, do		same	December 25, '45	same before justice of the peace				95 00	128 57	223 57	Insolvent.	
406	Smith, Andrew J.	William James and W. S. Smith	215 00	Oct. 8, 1849		Clark	July 23, 1850	same	66 00		302 81					Paid in full.
407	Stevenson, Young	Luther Chase and C. P. Bertrand	1,600 00	Feb. 1, 1846		Pulaski			1,580 00	706 00						In full.
408	Stevens & Woods	William Brown and Robert Carter	400 00	April 1, 1845		same						400 00	432 00	832 00	Insolvent.	
409	Sterling, Joseph W.	Richard Hawkins and John H. Leech	70 00	May 10, 1845		same	January 9, 1844	Carter and Brown	24 00			56 03	51 02	107 05	Doubtful.	
410	Stephenson, James	N. King, John L. Houston and Charles Ward	285 00	January 30, 1842		Conway	April 27, 1847	Stevenson, King and Houston	18 05			285 00	380 00	665 00	Doubtful.	
411	Stephens, A. J.	Russell Welborne and N. Menefee	125 00	May 23, do		same	June 13, 1849	Bank				125 00	163 33	288 33	Debt lost.	
412	Sinclair, Abraham	W. W. E. Moreland and Jeremiah Moreland	100 00	August 22, do		Johnson		V. S. and J. P., in Johnson county				100 00	129 33	229 33	Insolvent.	
413	Scott, Joseph	George Kesse and Thomas Kesse	175 00	August 1, 1845		Saline		Willard and Hutt	62 41			184 84	106 67	288 51	Solvent.	
414	Shockly, Bolly C.	Thomas Pack and William M. Scott	30 00	January 21, 1848		same	September 22, '49	Pack and Scott				30 00	25 60	55 60	Solvent.	
415	Si'om, James	Harris Flanagan and B. S. Duncan	85 00	June 6, do		Clark			29 20		95 00					In full.
416	Stroud, Adam	Chas. Golliber and J. L. Stroud	305 00	July 10, 1846		same	June 5, 1849	All the parties	167 90	341 21						In full.
417	Stroud, Isham L.	Adam Stroud and Charles Golliber	240 00	do 1845		same		same	44 70	375 10						In full.
418	Strong, William	A. D. Burriss, J. J. Thompson and T. M. Collins	950 00	April 30, 1841		St. Francis	January 6, 1844	Collins		1,066 00		827 67	327 64	1,155 31	Doubtful.	
419	same	same and William Strong	325 00	May 21, do		same	January 4, do	Bank				325 00	351 38	676 38	Debt lost.	
420	same	John C. Johnson and M. W. Izard	300 00	June 26, do		same	same	Izard				300 00	414 00	714 00	Insolvent.	
421	same	M. M. Burriss, A. D. Burriss and W. Dodson	3,600 00	July 8, do		same	same	Dorris				3,600 00	4,860 00	8,460 00	Debt lost.	
422	same	J. S. Deputy and J. R. Fillingim	500 00	June 1, 1849		same			296 60			250 00	146 66	396 66	Solvent.	
423	Sullivan, Charles L.	James M. Holbert and R. H. Hargraves	500 00	do 8, 1844		same	Sept. 26, 1847	Sullivan and Holbert	205 00	667 45						In full.
424	same	same and Joseph S. McKiel	100 00	March 15, 1846		same		This judgment Ross says was paid to J. B. Jackson, and never paid in				100 00	100 33	200 33	Bank lost the debt	In full.
425	Seaborn, Joseph	Cyrus Little and Elihu Hotchkiss	270 00	April 25, 1842		same	July 5, 1844	All the parties	Assumed by Geo. W. Seaborn, and new note put in							In full.
426	Spurlock, David	William and Jesse Spurlock and Wiley Lewis	385 00	Nov. 12, 1840		Crittenden	January 6, do	same				385 00	550 97	935 97	Insolvent.	
427	Swan, Parson H.	John H. Walker and E. H. Fletcher	1,000 00	July 28, 1841		Mississippi	Oct. 28, 1846	Walker and Fletcher			540 00	1,000 00	593 33	1,593 33	Compromised as	In full.
428	Scott, William	W. F. Moore and H. L. Biscoe	100 00	April 21, 1842		Phillips						100 00	131 24	231 24	Doubtful.	
429	Swan, Wilson H.	Selden Tryon and James Calvert	300 00	May 10, 1841		Pike	October 27, 1845	Swan				300 00	418 00	718 00	Insolvent.	
430	Sullivan, Charles L.	Strong, Holbert and McKiel	500 00	March 15, 1846		St. Francis	March 5, 1847	Sullivan and Holbert				500 00	500 00	1,000 00	Solvent.	
431	Smith, Jefferson	A. H. Rutherford and George W. Rutherford	730 00	Dec. 4, 1841		Pulaski	January 9, 1844	Rutherford and Rutherford		700 00	specie					In full.
432	Smith, John P.	George Waring and Lewis Snapp	300 00	January 1, 1846		same		Waring, McCracken and Hanger	257 25	165 00						In full.
433	Smith, Reuben	E. McDermot and Wilford Garner	500 00	Nov. 5, 1840		Chicot	same	McDermot and Garner		1,061 00						In full.
434	Stinson, Joseph	F. W. Trannall and Albert Pike	860 00	July 4, 1846		Pulaski			1,096 86							In full.
435	Simmons & Bentley	Anderson Gordon	170 00	January 13, 1849		Conway			175 50							In full.
436	Scott, Robert H.	W. W. Scott and Abraham Block	665 00	Nov. 19, 1842		Hempstead	January 8, 1844	R. H. Scott and Block	1 54	666 00	specie				Compromised as	In full.
437	Shook, John	Augustus Block and R. L. Phillips	88 00	April 1, 1845		same			141 78							In full.
438	Stewart, Joshua D.	R. S. Taite and Nicholas Keith	180 00	May 11, 1847		Clark			184 05	165 00						In full.
439	Scott, William C.	James A. Scott and Ed. A. Scott	1,185 00	Nov. 4, 1842		Crawford	January 6, 1844	All the parties	276 83	1,957 60						In full.
440	Scull, James	Francis Vaigine and James Scull, jr.	750 00	April 1, 1845		Jefferson			973 40							In full.
441	Seaborn, George W.	A. J. Seaborn and J. M. Holbert	300 00	Dec. 4, 1840		St. Francis			305 00							In full.
442	Thorn, Thomas	E. H. Walden and James Pitcher	9,650 00	July 20, 1844	435 10	Pulaski	April 30, 1845	Walden				10,085 10	10,958 30	21,043 40	Debt lost.	
443	Trimble, Moffatt C.	D. B. Cargile and R. King	170 00	Nov. 3, 1841		same	June 18, 1846	Bank				170 00	210 06	400 06	Debt lost.	
444	Thompson, David	John J. Budd and R. S. Carter	800 00	February 21, 1841		same	September 9, '41	All the parties				800 00	1,127 10	1,927 10	Insolvent.	
445	Triplett, Hedman	William P. Reyburn and A. H. Sevier	250 00	January 1, do		same	January 9, 1841	Sevier				250 00	355 00	605 00	Insolvent.	
446	Tucker, Jas. & Thompson, B. H.	P. J. Pitman and E. Johnson	450 00	August 26, do		Conway	January 12, 1844	Thompson				450 00	615 00	1,065 00	Insolvent.	
447	same	James Stevenson and James R. Montgomery	110 00	June 28, do		same	July 8, do	Thompson				110 00	151 80	261 80	Insolvent.	
448	Thompson, Asa	Edward Cross and William H. Bizzell	1,900 00	Sept. 9, 1840		Pike	November 3, 1845	Bank	23 15			1,900 00	2,720 75	4,620 75	Debt lost.	
449	Tryon, Selden	James Calvert and Ezra Crowell	900 00	March 29, 1841		same	June 18, 1846	Bank				900 00	1,267 50	2,167 50	Debt lost.	
450	same	same	300 00	April 13, do		same	same	Bank				300 00	419 00	719 00	Debt lost.	
451	same	same	900 00	June 21, do		same	same	Bank				900 00	1,244 00	2,144 00	Debt lost.	
452	Taite, Robert S.	Joshua D. Stewart and Robert Welch	225 00	January 28, 1848	11 00	Clark	Dec. 21, 1849	Tate, Stewart and Welch	90 00			188 25	109 83	298 08	Solvent.	
453	Thornton, Samuel C.	Elijah Franklin and James Lisenby	235 00	February 14, 1841		same	January 8, 1844	Franklin and Lisenby	40 40			272 37	557 70	829 07	Insolvent.	
454	Thompson, James J.	A. D. Burriss, J. C. Johnson, Thomas J. Curl and Wm. Strong	250 00	May 23, do		St. Francis	June 18, 1846	Bank	1 82			250 00	345 24	595 24	Debt lost.	
455	same	A. D. Burriss, J. Mitchell, J. C. Johnson, T. J. Curl & W. Strong	1,860 00	May 24, do		same	same	Bank				1,860 00	2,581 68	4,441 68	Debt lost.	
456	Thomas, James	J. W. Calvert and J. M. Holbert	25 00	March 23, 1842		same			1 44			25 00	31 22	56 22	Doubtful.	
457	Tyer, Samuel	Ajax Tyer and Noah H. Tyer	270 00	Feb. 22, do		same	January 4, 1844	All the parties	38 70			270 00	306 90	576 90	Insolvent.	
458	Tyer, Stephen	Asa Lancaster and Ashford Buford	105 00	same		same	June 18, 1846	Bank	2 41			105 00	136 98	241 98	Debt lost.	
459	Thorn, John	Elliott H. Fletcher and Wm. Trice	550 00	April 14, 1841		Mississippi	July 8, 1844	Fletcher and Trice		10 00	180 00	551 00	426 00	976 00	Compromised	In full.
460	Taylor, Isaac	George W. Taylor and Isaac Fall	150 00	February 22, 1842		Monroe	January 6, 1844	Isaac Taylor	100 00			62 00	77 29	139 29	Doubtful.	
461	Tollerson, John C. P.	John Burss and Boyd Bailey	700 00	Oct. 16, 1839		Phillips	March 21, 1840	All the parties			535 22	700 00	519 00	1,219 00	Insolvent	Compromised, balance lost.
462	Tucker, Wood	S. H. Tucker and James Scull, jr.	600 00	February 28, 1841		Jefferson	January 5, 1844	Wood Tucker and Scull	470 00			226 00	275 58	501 58	Solvent.	
463	Trimbell, William	C. P. Bertrand and Daniel Kingo	185 00	April 25, 1849		Hempstead			200 00							In full.
464	Trice, William C.	Wright W. Elliott and John Fogleman	500 00	August 19, 1841		Mississippi	January 4, 1844	Trice and Fogleman	824 39							In full.
465	Taylor, William	Peter Hanger and A. H. Davies	510 00	Oct. 20, 1840		Chicot	January 9, do	All the parties	687 16							In full.
466	Thornton and Stewart	Robert S. Taite and N. Keith	320 00	April 1, 1847		Clark			254 30							In full.
467	Underhill, George W.	Thomas M. Collins and Anthony Meinsinger	600 00	April 10, 1842		Crittenden	July 5, do	All the parties	775 00							In full.
468	same	same	270 00	May 15, 1842		same	July 5, do	same	295 00	168 10						In full.
470	Vaigine, Paul	Hewes Scull and Jacob Leinberger	200 00	May 22, 1841		Jefferson	January 6, do	Vaigine and Leinberger				200 00	277 74	477 74	Insolvent.	

A--Concluded.

No of note.	PRINCIPAL.	SECURITIES.	Amount of note.	Note, when due.	Debit on ledger.	Residence of principal when note was given.	Date of judgment.	Names of persons against whom judgment was rendered.	Credits up to 31st December, 1850.	Credits from 1st January, 1851, to 1st September, 1854.	Credits from 1st September, 1854, to 1st October, 1858.	Amount of principal due 1st Oct'r, 1858.	Amount of interest due 1st Oct'r, 1858.	Total amount of principal and interest due to 1st Oct'r, 1858.	Supposed condition of debtors and their securities.	REMARKS.								
471	Van, Thorn Aaron	William J. Boyd and James McKee	80 00	May 10, 1844.		Pulaski.			109 95							In full.								
472	Waring, George	John Wassell and Thomas T. Tunstall	950 00	February 7, 1841.		same	July 8, 1844	All the parties	83 22		600 00	950 00	57 33	1,007 35	Compromised as	In full.								
473	same	John Smith and E. Walters	330 00	April 1, 1845		same	June 24, 1849	Bank	160 36	286 72						In full.								
474	same	John P. Smith and Lewis Snapp	300 00	January 6, 1846		same	February 4, 1850	Waring and Snapp	166 60			215 00	128 58	343 58	Insolvent.	In full.								
475	Walden, Edward H.	Thomas Thorn and Emzy Wilson	900 00	April 1, 1844		same	April 30, 1845	All the parties	1,272 00						Paid land	In full.								
476	same	Thomas Thorn and James Pitcher	616 67	May 12, 1844		same	November 3, 1845	Walden				616 67	713 96	1,330 63	Insolvent.									
477	same	same	950 00	July 20, 1844		same	April 30, 1845	Walden				950 00	900 33	1,850 33	Insolvent.									
478	Waring, George & Co	Albert Pike and Absalom Fowler	900 00	April 19, 1841		same			500 00	806 67						In full.								
479	Williams, Barnett	Robert W. Johnson and James Pitcher	140 00	do 1, 1845		same			186 68							In full.								
480	Widgery, John	Lemuel R. Lincoln, Albert Pike and James Lawson, jr.	240 00	May 1, 1845		same		New note put in by Pike for half																
481	Webb, Samuel H.	Henry F. Shaw and George Waring	680 00	April 4, 1842		same	July 8, 1844	All the parties				120 00	128 00	248 00	Insolvent.									
482	White, William	R. C. Hawkins and G. W. Whitaker	250 00	February 27, 1842		same						680 00	893 06	1,573 06	Insolvent.									
483	Waters, Sam.	R. D. C. Collins and H. F. Shaw	600 00	June 25, 1811		same						250 00	332 07	582 07	Insolvent.									
484	Welborn, Russell	Elijah Welborn and Nelson Phillips	350 00	April 4, 1842		Conway						600 00	828 66	1,428 66	Insolvent.									
485	same	Joseph J. Simmons and Nelson Phillips	210 00	May 1, 1842		same						350 00	461 86	811 86	Insolvent.									
486	Welborn, Elijah	R. Welborn, J. J. Simmons, N. Phillips and H. A. Berry	270 00	April 19, 1842		same	July 8, 1844	All the parties				210 00	275 80	485 80	Insolvent.									
487	Webster, John C.	F. J. Brownlee and B. H. Thompson	170 00	Dec'r 26, 1841		same	January 12, 1844	Webster and Thompson				270 00	345 20	615 20	Insolvent.									
488	Ward, Catharine	R. McCall and J. J. Simmons	40 00	July 11, 1843		same						170 00	227 80	397 80	Insolvent.									
489	Wolt, William H.	William Crockett	94 00	Dec'r 12, 1848					55 75		64 43	40 00	48 69	88 69	Insolvent.									
490	Wharton, William	Thomas Kesse, jr. and Robert Calvert	140 00	April 18, 1845		Saline				299 00						In full.								
491	Williams, Edward W.	Ezra M. Owen and Ezra Owen	35 00	July 18, 1845		same						35 00	36 96	71 96	Insolvent.									
492	Wheat, Samuel C.	Henry Cheatham and J. D. Conway	400 00	do 13, 1845		Hempstead						400 00	422 66	822 66	Solvent.									
493	Wells, Jacob	Harris Flanagan and Austin Wells	320 00	October 5, 1842		Clark	January 8, 1844	All the parties		338 82		150 00		150 00	This balance'd to have been paid to sheriff of Clark co.									
494	Ward, James S.	Harris Flanagan and B. S. Duncan	135 00	April 22, 1847		same	Dec'r 21, 1849	same		207 45						In full.								
495	Williams, James	R. S. Wilson	110 00	February 1, 1849		same	same	R. S. Wilson				110 00	84 80	194 80	Insolvent.									
496	Wright, Morehead	Not stated	553 53	October 18, 1843		Lafayette					1,050 32					In full.								
497	same	Indorsed by A. E. Thornton	231 27	January 9, 1848		same					325 25					In full.								
498	Walker, Saml. D.	Specie, or double in Arkansas bonds	401 60	June 1, 1846		C. lot			1,184 27							In full.								
499	same	William H. Gaines and A. H. Davies	2,429 00	Nov'r 5, 1846		same			3,778 20							In full.								
500	Williams, William	H. H. Curl and T. J. Curl	550 00	November 12, '40		St. Francis						550 00	786 75	1,336 75	Insolvent.									
501	same	H. H. Curl and William Sanders	325 00	Dec'r 23, 1840		same						325 00	461 50	786 50	Insolvent.									
502	Whitsett, Nelson C.	L. H. Bedford and Thomas M. Collins	550 00	April 5, 1841		Crittenden				337 99		550 00	431 39	981 39	Doubtful.									
503	Whitfield, Arthur	James Lawson, jr. and Luther Chase	1,466 00	July 26, 1849		Pulaski			4 75	1,200 00	989 70					In full.								
504	Wright, Joseph J.	Thomas H. Mosby and G. Hardwick	980 00	April 1, 1847		Jefferson				1,568 00						In full.								
505	Woods, Moses R.	Reuben Raynes and B. J. McHenry	580 00	do 1, 1845		Pulaski				100 00		580 00	626 40	1,206 40	Doubtful.	Compromised as in full.								
506	Winters, A. M.	James H. Stevenson and Robert Calvert	235 00	May 1, 1849		Saline			118 10	74 90	92 45					In full.								
507	Watson, George B jr	William Sexton and H. Malpass	87 35	March 12, 1845		Desha			112 47							In full.								
508	Wise, Marshall M.	L. H. Bedford and J. R. James	400 00	August 21, 1839		Crittenden					870 90					In full.								
Note—Peter T. Crutchfield, esq., special attorney, reports that "from Freeman E. Patrick, on account of the debts against M. W. Lillard, William Dabson, Mark W. Izard, Dunn, Lanusdale and Curl—G. V. C. Johnson, S. Tyer, A. Tyer, and N. H. Tyer—N. H. Lillard, William Fulkerson, and W. Martin—Patrick was to have control of these claims upon his paying \$230. He paid \$160, and was to pay more, as he represented he could make nothing by it." Mr. C. retained half the amount collected for his commissions as per contract. Also, "from Joseph Stillwell, on account of judgments against R. C. Byrd and William Brown, sr., rendered 1st July, 1841, for \$610—also, one against the same parties for \$600—also, one against said Brown and R. S. Carter, rendered 21st July, 1841, for \$0, and one against said Brown for \$25, rendered 21st December, 1848. Stillwell was to have control of these judgments, and pay therefor \$350." He has paid part, say \$221 89.										160 00														

Appendix to Table A---Principal Bank.

No. of Note.	PRINCIPAL.	SECURITIES.	Amount of note..	Note, when due.	Residence of principal when note was given.	Date of judgment.	Names of parties against whom judgment was rendered.	Credits up to 31st Decem-ber, 1850.	Credits from 1st January, 1851, to 1st Sept. 1854.	Credits from 1st Septem-ber, 1854, to 1st October, 1858.	Am't of prin-cipal due 1st Oct'r, 1858.	Interest due to 1st Octo-ber, 1858.	Total amount of principal and interest due 1st Oc-tober, 1858.	REMARKS.
509	Carroll, D. W.	Security not stated.	\$ 178 33	June 1, 1850				66 73						In full.
510	Carroll, D. W.	Assumpsit for Hockersmith.	400 00	April 1, 1850				28 00	593 50					In full.
511	Gaines, William H	Assumpsit for Mrs. Amanda Boyle	1,738 75	May 1, 1851					2,048 72					In full.
512	Boyle, Amanda	Assumpsit of the debt of John N. Boyle.	3,611 25	May 25, 1851					1,000 00	3,998 00				In full.
513	Gill, Jane	Assumpsit of George Gill, note Batesville branch	115 00	January 1, 1850				70 00						In full.
514	John S. Roane	For balance of A. H. Sevier's note, for \$1,782 75.	777 60	September 24, '50	Jefferson				876 95					In full.
515	Waring, George	Snapp, Hanger and McCracken.	150 00	May 20, 1851	Pulaski				165 00					In full.
516	Curbo, H. B	Rind and Williams for half of L. Duval's note.	86 25	Dec'r 28, 1853	Sevier					86 25	32 77	119 02		Solvent—claim allowed in probate court Sevier county.
517	Estate M. W. Dorriss	Bank attorney, paid by Mrs. Roane	22,059 20	December 28, '53	Jefferson				10,088 00					Balance assumed by Mrs. Roane. In full.
518	Roane, Julia	Security not stated, balance Dorriss' debt.	11,871 24	June 27, 1854	same					12,047 91				In full.
519	S. C. Faulkner	As security on bond of E. L. Johnson, bank attorney	261 63	July 1, 1856	Pulaski									Transferred to Curran's executor to pay decree.
520	Joseph Fenno	same same same	261 63	do do	same									same same same
521	T. D. Merrick	same same same	261 63	do do	same									same same same
522	Thomas H. Reives	Amount collected of Mrs. M. B. Miles.	1,345 00	May 15, 1847			Principal, interest and penalty paid by J. A.			2,679 26				In full.
523	Joseph Stillwell	Amount paid on D. J. Baldwin's note	400 00	June 11, 1854	same		Craig			623 60				In full.
524	same	same same	400 00	do 1855	same		These notes given for specie, but see opin-ion supreme court, which held they could be paid in bonds			688 88				In full.
525	same	same same	450 00	do 1856	same					775 00				In full.
526	H. M. Rector	Assumed for R. C. Hawkins.	1,487 00	May 1, 1850	same					2,256 78				In full.—paid in land.
527	William H. Sutton	Assumed for R. L. Galloway.	908 59	June 1, 1849					1,055 16					In full.
528	Henry F. Shaw	William Brown	75 00	April 24, 1850						125 62				In full.
529	Albert Pike	Security not stated, Widgery debt	184 00	Dec'r 18, 1851					82 45	146 62	79 16	225 78		Solvent.
530	William E. Woodruff	George C. Watkins, balance Sprague debt	949 14	September 12, '53						1,185 77				In full.
531	George W. Seaborn	Security not stated, Joseph Seaborn's debt	350 00	January 24, 1846			Mortgage foreclosed, property sold and bank purchased	521 16						In full.
532	L. A. Whiteley	Assumed for Faulkner. Mortgage on real estate.	5,624 96					5,624 96						[favor of Curran.
533	Julia Roane	No security, and to pay Thomas Durr's debt	1,260 00	June 21, 1858						1,260 00	21 00	1,281 00		Sold, and proceeds, \$1,500 applied to Decree vs. Bank, and in
534	Jacob Ash	S. H. Tucker.	1,189 59	March 27, 1859						1,180 59		1,189 59		Solvent.
			443,032 37					168,748 42	122,585 98	61,498 66	168,892 91	190,004 04	358,896 95	To pay balance due by Ross, late financial receiver.

OFFICE OF THE FINANCIAL RECEIVER OF THE BANK OF THE STATE OF ARKANSAS,
Little Rock, Arkansas, 10th October, 1858.

WM. M. GOUGE,
A. H. RUTHERFORD,
State Accountants under act of 15th January, 1857.

for \$1,250, payable in *specie*, and assigned the notes to the bank. When the first note fell due, Mr. S. tendered to the then financial receiver in payment, coupons of the State Bank, which were refused, and Mr. Stillwell applied to the supreme court for a *mandamus* to compel the receiver to take the coupons of the bank. The supreme court granted the writ, and, on a hearing, decided that the bank could not demand *specie*, and that the tender of the coupons were legal, and ordered that they should be received in payment of said note. By this proceeding the bank lost about \$2,000.

NOTE No. 48.—The history of this case would fill several pages. The facts are about these: When the mortgage was executed to the bank on the lots, buildings and hereditaments, now known as the Franktin House, situate near the steamboat landing, Messrs. Trapnall and Cocke controlled several judgments against the defendants. Trapnall purchased the property at sheriff's sale, under the executions issued on the judgments controlled by him and Cocke. Mr. Trapnall made a compromise with the bank, and transferred all his title, by deed, to the bank, for the sum of \$2,000. The property was then the bank's and uncumbered. The United States obtained a judgment against the bank afterwards, and this property was levied on by the marshal, and sold under execution, and bought by Mr. Trapnall, whose estate now holds the property. The bank lost the whole of her debt, and also the \$2,000 paid to Mr. Trapnall for his first title, amounting now to about the sum of \$35,000. The defendants are both dead, and their estates are wholly insolvent.

NOTE No. 49.—No judgment having been obtained on this note, the statute has run on it. The principal has been sent to the penitentiary for some offence, and is confined there now.

NOTES Nos. 66, 67, 68 and 69.—Judgments have been rendered against the bank on each of these notes. Mr. Cummins died in 1842. He executed a mortgage to the bank in 1840, on sundry lands, to secure the payment of his indebtedness—which was then about seven thousand dollars. The bank gave him time on his debt, which released his securities. The lands mortgaged to the bank were incumbered with other debts, and finally, the bank lost the whole amount due from him.

NOTE No. 70.—Collins and DeBaun are dead, and their estates are insolvent. Judge Cross is solvent, and the debt will probably be paid during the next year.

NOTE No. 72.—The principal and securities were solvent, but

on the trial, relied on the plea of the statute of limitations, and judgment was rendered against the bank.

NOTE No. 73.—This note was for money borrowed from the bank, by the mayor and aldermen of Little Rock. Judgment against the bank upon the ground that the note executed by the mayor, was not under seal, as required by the ordinances of the city. Debt lost.

NOTE No. 74.—All the defendants are dead, and their estates are insolvent.

NOTE No. 75.—Judgment rendered only against Simmons, security, who removed to California in 1850 or 1851; and was insolvent at the time. We class the debt as lost.

NOTE No. 76.—The defendants were all solvent when the note fell due, but, by some neglect or oversight, the statute run upon the note; and James Campbell, who was security on the last renewal, contended that he had paid it. He is now dead, and the balance is lost.

NOTE No. 77.—Judgment rendered in 1844 against Carr. Nothing has been paid on the judgment, and we have no information respecting the circumstances of Mr. Carr. The claim is classed as insolvent.

NOTE No. 79.—The statute has run on this judgment, which was rendered alone against Hockersmith. Debt lost.

NOTE No. 80.—Judgment rendered against Clark and Goodloe in 1844; both dead, and their estates insolvent.

NOTE No. 81.—Judgment against the bank in 1848, on plea of limitation. Debt lost.

NOTE No. 82.—Childress is dead; Judgment against Hicks and Brazil, who are insolvent. The debt classed as lost.

NOTE No. 83.—Carrington is dead; the debt has been allowed against his estate in the probate court of Hempstead. The collection of the amount is thought to be doubtful.

NOTE No. 85.—The principal is dead; the securities are solvent.

NOTE No. 86.—The defendants were regarded as insolvent by Mr. Ross in 1850. We have no information of a recent date about them.

NOTE No. 87.—This case was dismissed in 1846, at the cost of the bank. Ross classed the debt as lost in 1850.

NOTE No. 88.—The defendants are solvent. They interposed the statute bar as a defense, and judgment was rendered against the bank. The debt is lost.

NOTE No. 89.—The principal in this note left the state some ten or twelve years ago. The solvency of the securities is questionable, and the judgment is classed as doubtful.

NOTE No. 90.—The defendants on this note are very good, and the debt will be paid.

NOTE No. 91.—This case was dismissed in 1841, and the defendants released. Debt lost.

NOTE No. 92.—The defendants are all insolvent, and have been so considered for many years—two of the securities are dead.

NOTE No. 93.—Nothing is known in relation to these defendants. Suit was instituted against them, and dismissed by the bank in 1846. Debt lost.

NOTE No. 94.—Collins and Underhill are both dead. The claim was never allowed against Collins's estate. The estate is good, but if the administrator will not voluntarily pay the balance, it is lost, as it cannot be collected by execution. Meinsinger is, or was insolvent.

NOTE No. 95.—These defendants were regarded as insolvent in 1850, and the judgment placed in the hands of Maj. P. T. Crutchfield, as special attorney for collection. Nothing has been collected on it. We think the debt wholly lost.

NOTE No. 96.—Judgment rendered against Calvert, Lewis and Spurlock, who were classed as insolvent in 1850. This claim also was placed in the hands of Maj. Crutchfield, as special attorney.

NOTES Nos. 97 and 98.—Judgments were obtained on them long since. The defendants were classed as insolvent in 1850, and the judgments placed in the hands of Maj. Crutchfield, as special attorney.

NOTE No. 99.—Goodloe is dead; execution has been issued against Collins and Jenkins. It is believed the amount will be collected.

NOTE No. 100.—Clark has been dead many years. Mr. Bertrand paid half of the amount due on this judgment, on the 21st September, 1858, and Capt. Pike will pay the other half due on it.

NOTE No. 101.—Judgment against Carter and J. M. Tunstall. The collection of the debt is doubtful.

NOTE No. 102.—The payment on this judgment was intended to be in full. The bank will lose the balance by the error in the calculation.

NOTE No. 103.—Judgment against Odle and Bowie. The defendants are all dead but Bowie, and he took the benefit of the bankrupt act in 1842.

NOTE No. 104.—Judgment against the bank in 1845.

NOTE No. 105.—Judgment against the bank in 1845.

NOTE No. 106.—The defendant did reside in St. Louis, Missouri, and deposited \$2,765 in Mississippi money as collateral security. The money proved to be worthless, and the debt is lost.

NOTE No. 107.—Campbell is dead, and the statute has run on the note. The debt is therefore lost.

NOTE No. 109.—Judgment against the bank. The defendant put in plea of statute of limitation, and it was sustained.

NOTE No. 127.—DeBaun and Imbeau are dead: Waring is insolvent. The debt is classed as lost.

NOTE No. 128.—Judgment against Dawdy. The statute has run on it, and it is now classed as lost.

NOTE No. 129.—Judgment against Dawdy. Debt classed as lost.

NOTE No. 130.—Judgment against the bank. Debt lost.

NOTE No. 131.—The securities are solvent. The principal is dead, and the condition of his estate not known. The securities live in Texas.

NOTE No. 132.—The principal is dead. The statute having run on the note, it was classed as lost in 1850.

NOTE No. 134.—Duval is dead; Foran and Curbo, who were Duval's securities on the note sued on, divided the debts. Each was to pay half of the amount; Foran paid his half, and Curbo gave a new note, with Rind and Williams as his securities. Curbo died, and the claim was allowed against his estate, in the probate court of Sevier county. It will probably be collected, or a part of it.

NOTE No. 135.—The defendants are all dead except William Strong, who lives in Tennessee. Suit was commenced on this note, and dismissed by the bank in 1846. The debt is lost.

NOTE No. 136.—Downs and Wood are unknown. Suit was brought on this note, but it appears no judgment was ever obtained. The debt is classed as lost.

NOTE No. 137.—This judgment was placed in the hands of Maj. Crutchfield, special attorney. Nothing has been collected on it. The defendants are insolvent.

NOTE No. 140.—Dickinson and Lacy are dead; Pratt did reside in Louisiana. Judgment against Dickinson alone; debt lost.

NOTE No. 141.—Judgment rendered against Wood Tucker alone. The defendants were classed as insolvent in 1850 by Mr. Ross. Mr. Tucker is dead. Debt lost.

NOTE No. 144.—Both the Elkins' are dead, and their estates supposed to be good. The balance of the debt will probably be collected.

NOTE No. 145.—Both the Elkins' dead. The balance in this case is somewhat doubtful; yet a part or all of it may be collected.

NOTE No. 146.—Suit was commenced and dismissed in 1846, at the cost of the bank. The debt is lost.

NOTE No. 147.—Judgment against Elliott and Trice. Elliott is dead, and Mr. Trice is insolvent. This claim was placed in the hands of Maj. Crutchfield, special attorney. Nothing has been collected on it.

NOTE No. 148.—Elliott and Collins are dead; Trice is insolvent.

This claim was placed in the hands of Maj. Crutchfield, special attorney. Nothing has been collected on it.

NOTE No. 149.—This judgment was compromised, and Mr. E. H. Fletcher paid the bank \$180 as in full. The balance is lost.

NOTE No. 150.—Compromised with Goodrich, security, against whom judgment was rendered. He paid \$25 as in full. The defendants are insolvent.

NOTE No. 152.—The balance due on this note will be settled. It has been standing over in consequence of some credits, that the defendant claims that should have been given.

NOTES Nos. 156, 157 AND 158.—The principal in these notes had a set-off against the bank for services rendered as an agent for it many years ago, and he made payment in cash of \$3,275, and gave a deed to the bank for sundry lands for the balance, including the amount of his claim for services rendered as agent. In this way the notes were settled in full.

NOTE No. 159.—The defendants are solvent. Mr. Newton is dead. This judgment is in litigation between the principal and Capt. Pike, a security. Execution has been issued on the part of the judgment not in litigation, say \$1,721 43.

NOTE No. 160.—The statute has run on this judgment, and the debt may be classed as lost.

NOTE No. 161.—Finn and Lockert are dead; Royster is insolvent. Debt lost.

NOTE No. 163.—Judgment only against Mr. Stevenson. He went to California in 1850. He was then embarrassed in his circumstances, if not insolvent. The debt is classed as lost.

NOTE No. 164.—Menefee is dead; and nothing is known of the other defendants. They were considered insolvent in 1850.

NOTE No. 166.—Field and Bankhead are dead. Bankhead's estate is good, and the debt may be collected if the statute bar has not attached.

NOTE No. 168.—The suit in this case was dismissed in 1846. The debt was classed as lost in 1850.

NOTE No. 169.—Judgment against W. D. Franks and Izard, in 1844. Mr. Ross thought the collection of the judgment doubtful in 1850. Nothing has been paid on it since.

NOTES Nos. 170 AND 171.—These judgments were placed in the hands of Maj. P. T. Crutchfield, as special attorney, as insolvent claims, and he made a compromise with Mr. Ferguson, who paid over swamp land scrip, out of which the attorney realised the sum of \$727 45, which was paid into bank recently. The balances on these judgments are lost.

NOTES Nos. 172 AND 173.—Mr. Fletcher compromised these

judgments with the bank, and paid on them \$240 each, in swamp land scrip, which payment was received by the bank as in full. The balance is lost.

NOTES Nos. 174 AND 175.—Judgment No. 174 was good, and ought to have been collected. Underhill is dead, against whom judgment was rendered. These debts were classed as doubtful in 1850, but may now be put down as lost.

NOTE No. 176.—This debt was assumed by L. A. Whiteley, and a new note executed to the bank with mortgage, etc.

NOTE No. 181.—The principal is supposed to be insolvent. D. W. Galloway and R. C. Byrd are dead.

NOTE No. 182.—Defendants are all dead. Debt lost.

NOTE No. 183.—Gray and McCraw are dead; Secrest has left the state. Mr. Ross thought the debt doubtful, but as there has since been no payment on it, it may now be put down as lost.

NOTE No. 184.—This debt is solvent, and the defendants allege that they have paid it. If they have, they have never been credited with it on the books of the bank; and there is nothing here to show that it has ever been paid.

NOTE No. 185.—This debt was compromised as in full, by the payment of \$350. Balance lost.

NOTE No. 186.—Greer is dead; judgment against Thorn, who is, or was, insolvent in 1850.

NOTE No. 187.—All the defendants are dead. Judgment was rendered against Underhill in 1844, and the statute run on it. Mr. Ross reported it as an insolvent claim in 1850.

NOTE No. 188.—Greer and Leroy are dead; Meinsinger is insolvent; the debt reported lost in 1850.

NOTE No. 189.—Suit instituted in this case, and dismissed in 1846. Debt lost.

NOTE No. 190.—The defendants were considered insolvent in 1850, and the claim placed in the hands of Maj. Crutchfield, as special attorney. Nothing has been collected on it.

NOTE No. 201.—Assumed by H. M. Rector, and new note given, which has been paid in full.

NOTES Nos. 202, 203 AND 204.—The balance due on these notes will be paid by Judge Clendenin.

NOTE No. 205.—The Humphries have removed to California; and Kniffin, the only security here, says he has paid as long as he had any thing to pay. Something may be had, though very doubtful.

NOTES Nos. 206 AND 207.—The defendants are insolvent, and the judgments have been placed in the hands of Maj. Crutchfield, who reports that he may be able to collect a part of them.

NOTE No. 208.—Brown and Gibson are dead; Howell has removed from the state. The debt is lost.

NOTE No. 209.—Compromised by the payment of \$80. The balance is lost.

NOTE No. 211.—Judgment against Clements and Shaw, who are both dead. Their estates are insolvent.

NOTES Nos. 212, 213 AND 214—Nearly all of the defendants on these notes are dead; and those living are supposed to be insolvent.

NOTES Nos. 219 AND 220—But little is known of some of these defendants. Some are dead, and some gone to California. It is supposed that those living are insolvent.

NOTE No. 221—The defendants are solvent, and the balance due, it is thought will be paid.

NOTE No. 222 —Judgment against Hudson and Dorris; Dorris is dead, and Mr. Hudson is supposed to be insolvent.

NOTE No. 223.—These defendants were supposed, by Mr. Ross, to be insolvent in 1850.

NOTE No. 224.—Cummins is dead; Hawkins and Carson were supposed to be insolvent in 1850.

NOTE No. 225.—Hudspeth removed to California in 1849, and is said to be rich. Reed and Sutton are dead. Barkaloo has gone to New Mexico. The debt may be considered as lost.

NOTE No. 227.—These defendants were supposed to be insolvent in 1850, by Mr. Ross.

NOTE No. 228.—The defendants in this case being considered insolvent, the claim was placed in the hands of Major Crutchfield, special attorney. Nothing has been collected on it.

NOTE No. 229.—The balance due on this judgment will probably be collected. An execution has been recently issued on the judgment.

NOTE No. 230.—This judgment was placed in the hands of Maj Crutchfield, special attorney; nothing has been paid on it.

NOTE No. 231.—Execution has been issued in this case on judgment upon delivery bond; and will doubtless be collected. The parties are solvent.

NOTE No. 232.—Execution has been issued on this judgment, but not returned yet. The debt is thought to be good, though it was classed with the doubtful in 1850.

NOTE No. 233.—The defendants being considered insolvent in 1850, the judgment was placed in the hands of Maj. Crutchfield, special attorney. Nothing has been collected on it.

NOTE No. 235.—Hardy and Jacob Barkman are dead. Execu-

tion has been issued against James E. M. Barkman, who will pay the balance due.

NOTES Nos. 245, 246 and 247.—These defendants were considered insolvent by Mr. Ross in 1850. Several of them are dead. Nothing has been paid on these debts.

NOTE No. 248.—Judgment against Johnson and Pitcher in 1846, They are both dead. Debt lost.

NOTE No. 249.—Judgment against the defendants in 1844. Johnson is dead; and the other defendants were considered insolvent by Mr. Ross in 1850.

NOTE No. 250.—G. C. V. Johnson is dead. The judgment went into the hands of Maj. Crutchfield, special attorney. Judgment was rendered in 1844 against G. V. C. Johnson and Lewis, who were considered as insolvent in 1850.

NOTE No. 251.—The principal is insolvent. The securities are dead. The balance may be put down as lost.

NOTE No. 252.—Judgment against Johnson and Rector; Johnson is dead, and Mr. Rector was considered insolvent in 1850, by Mr. Ross.

NOTE No. 253.—Joiner is dead. An execution has been issued against Owen and Pack. It is believed that the debt will be collected.

NOTES Nos. 255 and 256.—These notes went into the hands of the bank attorney in 1842, but no evidence in the bank or elsewhere, that we have been able to find, that judgments were ever obtained on them. Mr. Ross classed the parties as insolvent in 1850.

NOTE No. 257.—Judgment against all the defendants. Elliott is dead. Nothing is known of James. Strong took the benefit of the bankrupt act in 1842, and was discharged from all his debts. The claim is in the hands of Maj. Crutchfield, special attorney.

NOTE No. 258.—Judgment against Elliott and Redman. Elliott is dead. Mr. Ross considered the defendants insolvent in 1850.

NOTE No. 259.—Mr. Johnson paid \$114 66, his part of this judgment. The statute has run on the judgment, and the payment cannot be enforced by law. Mr. Wilson is good, if he would pay the balance.

NOTE No. 260.—Judgment against Cocke, who is now dead. The debt is lost.

NOTE No. 162.—This debt is good, and an execution has been issued on it recently. The amount will be collected during the fall or winter.

NOTE No. 264.—This debt was nearly all paid to Thornton, but he never made any statement of it, further than to give a credit on the books to Joel Johnson. L. L. Johnson paid

the balance to Ross on the 10th December, 1851; and Mr. Ross transferred the mortgage to him.

NOTE No. 267.—Judgment in 1844; Mr. Ross classed the debt as an insolvent one in 1850; no other information about it.

NOTE No. 268.—Judgment against the bank in 1846. Debt lost.

NOTE No. 277.—The defendants are both dead; and their estates insolvent. The balance will be lost.

NOTE No. 278.—Judgment against Cummins and Buckner, who are both dead. Debt lost.

NOTE No. 280.—Mr. Lemoyne writes to Gen. Hempstead that he had paid the balance due on this note through Mr. Campbell, of Conway county, by whom he could prove the fact. The balance is lost.

NOTE No. 281. This note was put down as doubtful in 1850, and it being small and still unpaid, we regard it as lost.

NOTE No. 284.—These defendants were considered insolvent in 1850 by Ross; and it was placed in the hands of Maj. Crutchfield, special attorney; nothing has been collected on it.

NOTE No. 285.—Suit was instituted on this note in 1849, against Fowler and Pike. The defendants, Lacy and Causin, were dead. Judgment was rendered against the bank, and the case was taken to the supreme court by writ of error, and decided against the bank at the July term, 1853. The debt is lost. See vol. 1, Barber's Rep., 159.

NOTE No. 286.—Judgment against Stokes, who has since died. The debt is lost.

NOTE No. 292.—Judgment against Miller and McCurdy; and the judgment placed in the hands of Maj. Crutchfield, special attorney. Nothing has been reported as paid on it.

NOTE No. 293.—Judgment against Mills and Mills, who were considered insolvent in 1850. A compromise of the judgment has been made by the payment of \$100 as in full. The balance is lost.

NOTE No. 295.—Judgment rendered against Byrd and Brown. Byrd is dead. The judgment was placed in the hands of Maj. Crutchfield, special attorney, who made a compromise with Mr. Brown, of this debt and others, for about \$350—a part of the amount has been paid. *See his statement after Note No. 508.*

NOTE No. 296.—A compromise was made in this case, similar to that in the one last above mentioned.

NOTE No. 297.—All the defendants are believed to be dead; some of them are known to be, so judgment was rendered against James Menefee alone. Mr. Ross considered him insolvent in 1850.

NOTE No. 298.—Judgment against the estate of Menefee. His estate was insolvent, and the debt classed as lost.

NOTE No. 299.—Judgment against Murphy. He was supposed to be insolvent in 1850; nothing has been collected on it since.

NOTES Nos. 300 and 301.—Judgment rendered against the bank in 1841, on plea of bankruptcy. The debts are lost.

NOTES Nos. 302 and 303.—These judgments were compromised on the 30th September, 1858, with the administrator of Mr. Maddin, who paid \$1,200 as in full of both judgments.

NOTES Nos. 305 and 306.—Judgment against the bank. Debts lost.

NOTES Nos. 307 and 308.—Judgment against the bank. Debts lost.

NOTE No. 309.—Judgment rendered against McLaughlin and McLaughlin. This debt is regarded as doubtful, and it was so classed in 1850 by Mr. Ross.

NOTE No. 312.—Judgment against the bank for costs. Debt lost.

NOTE No. 313.—Judgment rendered against Morris and Pyburn in 1844, and who were supposed to be insolvent by Mr. Ross in 1850.

NOTE No. 314.—The defendants supposed to be insolvent in 1850: nothing has been collected on the debt.

NOTE No. 316.—This debt is good, and will be paid by General Mitchell, the administrator of the estate.

NOTE No. 317.—This judgment was placed in the hands of Maj. Crutchfield, as an insolvent claim, and he collected \$88 on compromise as in full.

NOTE No. 318.—Morrison lived in Indiana, and Higgins and Howard are both dead. Debt lost.

NOTE No. 319.—Judgment only against McCarty, who was insolvent at the time, and the debt put down as lost.

NOTE No. 323.—This judgment was compromised by the payment of \$340 as in full.

NOTE No. 339.—Newton and Chase are dead. Capt. Pike will pay the balance. Execution has been issued recently.

NOTE No. 340.—These defendants were considered insolvent in 1850 by Mr. Ross: nothing has been collected on this judgment, and it may be put down now as lost.

NOTE No. 341.—Judgment rendered against all the parties who were considered insolvent in 1850 by Mr. Ross.

NOTE No. 344.—The balance due on this judgment will be paid by the administrator of Green B. Hughes, deceased.

NOTE No. 345.—Reyburn, Emerson and Miller are dead. Judgment revived against Obaugh. Execution has recently issued in this case, and it is believed that the amount will

be collected through the fall and winter. Mr. Ross considered the debt as doubtful in 1850.

NOTE No. 347.—Overbaugh is dead. The Logans are good, and will doubtless pay the balance due, which is very small.

NOTE No. 350.—Menefee is dead. Judgment was rendered against the bank on a plea of bankruptcy. Debt lost. Mr. Ross classed the debt as insolvent in 1850.

NOTE No. 355.—This judgment was placed in the hands of Maj. P. T. Crutchfield, special attorney. Nothing has been collected on this judgment.

NOTES Nos. 356 and 357.—These judgments were classed as insolvent in 1850, and placed in the hands of Maj. Crutchfield, special attorney. Nothing has been collected on them, and there is no prospect of ever getting one cent from any of the defendants.

NOTES Nos. 358 and 359.—These defendants were considered insolvent in 1850.

NOTE No. 371.—Royster is insolvent; Gilchrist and Perciful are dead.

NOTE No. 376.—The defendants who pleaded the statute of limitations, were released on this note, and judgment rendered against the bank. Debt lost.

NOTE No. 377.—Execution has been issued on this judgment, and the amount will be paid by Hockersmith, who is solvent.

NOTE No. 379.—Judgment rendered against the bank on a plea of the statute of limitation. Debt lost.

NOTE No. 380.—There appears to be some misunderstanding as to the balance of this debt, as shown to be due by the books of the bank. The sheriff of Union county returned the execution as satisfied, but after giving credit on the judgment for the amounts paid, there appeared to be a balance due on the settlement in 1842, of the amount here stated, say \$723 63, with interest to date.

NOTE No. 381.—Judgment against Johnson and Faulkner. Johnson is dead, and Faulkner was supposed to be insolvent by Mr. Ross, in 1850. Reyburn left the state 12 or 15 years ago, and now lives in New Orleans.

NOTE No. 382.—Rightor is dead, and the claim was presented and allowed against his estate. The payment of it is thought doubtful.

NOTE No. 383.—Judgment against all the defendants. Johnson is dead. Reyburn lives in New Orleans, and Mr. Faulkner is thought to be insolvent.

NOTE No. 384.—Suit instituted on this note in 1848, against Barber and Trimble, and judgment was rendered against the bank in February, 1850. The case was taken to the

supreme court by writ of error, and decided against the bank at the January term, 1852. Mr. Ross classed this debt with the doubtful, while it was pending in the supreme court. We now class it as lost. See *vol. 7, Eng. Rep.* 779.

NOTE No. 385.—The defendants were considered by Mr. Ross as doubtful, in regard to the payment of this debt, and he so classed them.

NOTE No. 398.—The defendants are all dead. Their estates were insolvent, and the claim so classed by Mr. Ross in 1850.

NOTE No. 399.—Shaw and Byrd are dead. The statute has run upon the judgment, and the debt may be put down as lost.

NOTE No. 400.—There is no judgment in this case, and the statute has run on the note. Debt lost. Mr. King is solvent.

NOTE No. 401.—This judgment has been rendered against Sanger alone; he is solvent, and says he will pay the balance due.

NOTE No. 402.—Balance assumed by Mr. Woodruff, who gave a new note for it, and has since paid it in full.

NOTE No. 403.—Smith and Shaw are dead. Waring is insolvent.

NOTE No. 404.—Smith is dead, and Waring is insolvent. Ruth-erford will pay the principal of the debt. The statute has run on the judgment, and it could not be collected by execution.

NOTE No. 405.—Judgment before justice of the peace against all the defendants. Mr. Ross classed them as insolvent in 1850.

NOTE No. 408.—This judgment went into the hands of Maj. Crutchfield, special attorney, as an insolvent claim, and it was compromised with Mr. Brown, by the payment of a very small amount; the judgment being against Carter and Brown.

NOTE No. 409.—Sterling is dead. Hawkins has removed to Texas. Mr. Ross considered the balance as doubtful in 1850. It may be put down now as lost.

NOTE No. 410.—This judgment was considered doubtful by Mr. Ross, in 1850, and we have received no information about the defendants since.

NOTE No. 411.—Judgment against the bank. Debt lost.

NOTE No. 412.—Judgment against the bank before justice of the peace in Johnson county. The defendants considered insolvent in 1850.

NOTE No. 413.—Judgment against Wills and Hutt on new note. Scott and Wills are dead; debt good, and will be paid soon.

NOTE No. 414.—Shockley and Scott are dead. Pack may pay the balance due.

NOTE No. 418.—Judgment against Collins only, who is dead; the claim has not been probated against his estate that we can find, and the amount may be considered lost.

NOTE No. 419.—Judgment against the bank. Debt lost.

NOTE No. 420.—Judgment against Izard. This claim went into the hands of Maj. Crutchfield, as special attorney. He has not been able to do any thing towards its collection.

NOTE No. 421.—Judgment against Dorris only; he is dead, and the debt lost.

NOTE No. 422.—Mr. Strong writes during the present year that he thought this note had been paid—and that if the note is not paid, and his signature to it is genuine, he will still pay it. The amount is, therefore, considered good.

NOTE No. 424.—Mr. Ray says that this judgment was paid to J. B. Jackson, who never paid it over to the bank. The amount is therefore lost.

NOTE No. 425.—This note was assumed by G. W. Seaborn, who gave a new note, which has been paid.

NOTE No. 426.—This judgment went into the hands of Maj. Crutchfield, special attorney, as an insolvent claim. Nothing has been collected on it.

NOTE No. 427.—Judgment against Walker and Fletcher; and the judgment put into the hands of Maj. Crutchfield, who made a compromise with Mr. Fletcher, who paid \$540 in swamp land scrip, as in full.

NOTE No. 428.—It does not appear that judgment was ever obtained on this note. The securities are solvent now, and have been all the time.

NOTE No. 429.—Judgment against Swan only, about whom nothing is known. Mr. Ross considered him insolvent in 1850.

NOTE No. 430.—Judgment against Sullivan and Holbert. Holbert is dead. Sullivan is solvent, and an execution has been issued recently on the judgment, and the amount will be collected during the fall or winter.

NOTE No. 442.—Thorn and Pitcher are dead; judgment against Walden, whose residence is not known. Debt lost.

NOTE No. 443.—Judgment against the bank. Debt lost.

NOTE No. 444.—Judgment against all the parties. Thompson is dead, and the securities are insolvent.

NOTE No. 445.—Triplett is dead; and the statute has run on the judgment against the security. The debt is lost.

NOTES Nos. 446 AND 447.—Judgment in each case against Thompson, who left the state ten or twelve years ago and went to Texas.

NOTES Nos. 448, 449, 450 AND 451.—On each of these notes

judgment was rendered against the bank. The debts are lost to the bank.

NOTE No. 452.—This debt is good, and execution has been issued on the judgment; and the amount will be collected soon.

NOTE No. 453.—Judgment against Franklin and Lisenby, who were considered insolvent in 1850. Nothing will probably be collected from them.

NOTES Nos. 455 AND 456.—Judgment in each case rendered against the bank. Debts lost.

NOTE No. 457.—Mr. Ross considered the payment of this note doubtful in 1850. Holbert is dead, who was solvent, and nothing is known of the other defendants.

NOTE No. 458.—This judgment went into the hands of Maj. Crutchfield, as special attorney. He made an arrangement with Mr. Patrick, by which he received \$160, on this and other judgments in favor of the bank. Mr. Patrick found that he had made a hard bargain, and refused to pay any more, as he could not realise any thing from the judgments transferred to him.

NOTE No. 459.—Judgment against the bank. Debt lost.

NOTE No. 460.—This judgment was compromised with Mr. Fletcher, who paid the bank \$180 in swamp land scrip, as in full.

NOTE No. 461.—Judgment against Isaac Taylor, who is dead, and the collection of the claim thought doubtful in 1850.

NOTE No. 462.—Tollerson and Burriss are dead; a compromise was made with Boyd Bailey, who paid in par funds, \$266 67, equal to \$535 32 in Arkansas Bank funds, as in full of the judgment.

NOTE No. 463.—Judgment against Tucker and Scull. Mr. Tucker is dead, and nothing appears to have been done towards collecting the amount since judgment was obtained. The statute has run on it now.

NOTE No. 470.—Judgment against Vaugine and Lemberger, who were reported insolvent in 1850.

NOTE No. 472.—Maj. Crutchfield compromised this judgment with defendants, and received \$600 in specie as in full; balance lost.

NOTE No. 474.—After judgment in this case, a compromise was made, by which Waring paid several debts due by him to the bank, and gave his note for this one, which has not been paid, and he reported insolvent in 1850.

NOTES Nos. 476 and 477.—Judgment in each case against Walden. Thorn and Pitcher are dead. Walden left the state several years ago insolvent.

NOTE No. 480.—Pike and Lincoln were bound for this debt, and they divided the amount, each paying half of the

amount due. Capt. Pike gave a new note for \$184, for his half, and Lincoln failed to pay his part. Lincoln's half of the debt is lost.

NOTES Nos. 481, 482, 483, 484, 485, 486 and 487.—The defendants on these notes were reported by Mr. Ross, in 1850, as insolvent, and we have received no information about them since. We regard the amounts in each case as lost.

NOTE No. 488.—The defendants were reported as insolvent in 1850. Nothing is known of Ward and McCall. Simmons went to California in 1850, or thereabouts.

NOTE No. 491.—The defendants are insolvent.

NOTE No. 492.—All the defendants to this note have been solvent, and men of means, for the last 20 years—and it is astonishing that this judgment has not been paid.

NOTE No. 493.—The balance of this judgment is reported to have been paid on execution to the sheriff of Clark county; if so, it has not been paid into the bank.

NOTE No. 495.—Williams is insolvent, and Wilson is dead.

NOTES Nos. 500 AND 501, were reported insolvent in 1850.

NOTES Nos. 502 and 505, were compromised with the bank, and the payments made were received as in full.

NOTE No. 516.—This claim is allowed in the probate court of Sevier county, against the estate of Curbo. It is thought to be good.

NOTE No. 525.—The defendant is good and will pay the amount.

NOTE No. 533.—The defendant is very good and will pay.

NOTE No. 534.—Not due yet, but perfectly good.

A TABLE—Showing the condition of the Notes and Bills due at the Fayetteville office of the Bank of the State of Arkansas, up to 1st October, 1858.

No. of Note.	PRINCIPAL.	SECURITIES.	Amount of note.	Note when due.	Residence of principal when note was given.	Date of judgment.	Names of parties against whom judgment was rendered.	Credits up to 31st Decem-ber, 1850.	Credits from 1st January, 1851, to 1st Sept., 1854.	Credits from 1st Septem-ber, 1854, to 1st Oct., 1858.	Amount of principal due 1st October, 1858.	Interest due to 1st Octo-ber, 1858.	Total amount of principal and interest due 1st Oc-tober, 1858.	Supposed condition of debtors and their securities.	REMARKS.
1	Allen, Lewis.	John Smith and David Allen.	\$ 95 00	Feb. 29, 1842.							95 00	124 25	219 25	Debt lost.	
2	Atterton, S. T.	H. E. Campbell and Cyrus Lown.	525 00	May 24, 1842.							525 00	686 70	1,211 70	Debt lost.	
3	Anthony, A. B.	L. Brodie and James Sutton.	6,334 00	Sept. 29, 1844.				5,573 48	4,789 00		684 00	754 30	1,438 30	Debt lost.	In full.
4	Atton, Eliza B.	John J. Horton and James Atton.	691 00	March 15, 1843.			Judgment for bank.	95 00							
5	Armstrong, Lyman.	John Armstrong and A. P. Clark.	417 52	October 1, 1847.				100 00	410 00						In full.
6	Atton, George.	John W. Patrick and Joseph James.	175 52	March 6, 1843.							175 52	218 58	394 10	Doubtful.	
7	Armstrong, George M.	John Armstrong and R. C. S. Brown.	156 00	Feb. 1, 184.							156 00	195 52	351 52	Insolvent.	
8	Brown, Henry B.	John Saunders and A. M. B. Clark.	741 31	Aug. 23, 1848.				794 72							In full.
9	Same.	J. G. McConnell and D. R. Clark.	600 00	June 20, 1846.				788 58							In full.
10	Bell, Alexander.	J. Gregg and H. S. Lafferty.	131 42	March 6, 1843.							131 42	163 66	295 08	Insolvent.	
11	Bell, John A.	Securities not stated.	152 00	March 6, 1844.				221 80							In full.
12	Bell, J. C.	John S. Bell and S. Reddick.	59 00	Feb. 2, 1847.	Washington	Unknown	Before justice of the peace.	52 59			20 57	13 89	34 46	Solvent.	
13	Bell, John.	Securities not stated.	644 00	March 15, 1844.							644 00	749 18	1,393 18	Doubtful.	
14	Bursey, R. A.	W. S. Oldham and John Lewis.	708 00	June 17, 1842.				1,287 26							In full.
15	Burham, James B.	W. P. Poor and E. H. Shipley.	144 00	March 12, 1843.							144 00	179 14	323 14	Doubtful.	
16	Burham, Henry.	Mitchell L. Hill and John Livingston.	100 10	Sept. 2, 1845.			Judgment for the bank.		80 00		66 66	38 56	105 22	Compromised as	In full. Balance lost.
17	Burham, D. L.	E. J. Bourland and H. Bourland.	450 00	Feb. 15, 1845.			same	542 50							In full.
18	Burham, H. H.	E. J. Bourland and D. L. Bourland.	423 00	February 9, 1845.			same	674 61							In full.
19	Burham, E. J.	Henders in Bourland and D. L. Bourland.	413 00	February 11, 1845.			same	568 00							In full.
20	Burham, D. W.	Charles Whitson and E. J. Bourland.	219 00	Sept. 18, 1844.				342 48							In full.
21	Bates, Robert.	Robert M. Winn and William Wilson.	20 00	Sept. 15, 1844.			same	11 12	16 13						In full.
22	Bell, Jeremiah.	James Maddin and A. S. Smith.	200 00	Aug. 20, 1849.							200 00	229 77	429 77	Debt lost.	
23	Bell, L.	Wm. Skelton and S. G. Smith.	1,035 00	March 5, 1843.							1,035 00	1,288 75	2,323 75	Debt lost.	
24	Burham, William.	A. A. Crawford.	20 00	August 7, 1844.			Add to this note \$33 73 being credited to Boatwright.				53 73	60 77	114 50	Insolvent.	
25	Burham, Lender.	P. R. Smith and R. A. Sawyer.	92 24	October 3, 1847.			Judgment for the bank.		99 34						In full.
26	Burham, William.	S. G. Smedley.	116 81	Sept. 25, 1847.			same	137 00							In full.
27	Batty, Thos. T.	Alexander Batey and Meda J. J. J.	60 74	May 28, 1843.			same				60 74	50 20	110 94	Insolvent.	Parties dead.
28	Burham, H. H.	Enoch Harp and Chas. Batey.	35 00	October 9, 1845.				43 20							In full.
29	Burham, E. C.	A. F. Beller and Peter Beller.	445 00	Nov. 3, 1844.			Judgment for the bank.	532 11							In full.
30	Burham, William.	Wm. Guthrie and W. C. B. B. B.	30 00	March 1, 1847.							30 00	27 80	57 80	Doubtful.	
31	Burham, Jonathan.	J. C. Payne and M. Rose.	179 57	January 9, 1847.			Judgment for the bank.	237 00							In full.
32	Burham, Stephen.	James F. Lee.	11 54	Oct. 10, 1846.							11 54	10 83	22 37	Solvent.	
33	Burham, Richard.	J. D. Robinson and Wm. T. Thompson.	81 00	Oct. 18, 1847.				35 04	64 96						In full.
34	Burham, John S.	Joel D. Blair and Wm. C. Mitchell.	478 00	May 1, 1846.	Washington	Unknown	In circuit court.				478 00	474 80	952 80	Solvent.	
35	Burham, Joel D.	John S. Blair and James K. Blair.	237 00	May 4, 1845.							237 00	197 50	434 50	Debt lost.	
36	Burham, James K.	John S. Blair and Joel D. Blair.	237 00	same							237 00	197 50	434 50	Debt lost.	
37	Burham, L. D.	A. M. Wilson.	185 60	March 12, 1850.					220 00						In full.
38	Burham, R. C. S.	Pickett and Gregg.	1,458 00	March 2, 1842.				749 84			1,458 00	1,160 19	2,618 19	Debt lost.	
39	Burham, John.	Wm. Poyner and J. A. H. H.	133 10	October 8, 1847.				142 40							In full.
40	Burham, R. H.	John B. Brown and Newton W. Brown.	136 00	March 9, 1843.			Judgment for the bank.	275 68							In full.
41	Burham, Newton W.	John B. Brown and R. H. Brown.	170 19	March 18, 1843.			do	284 25							In full.
42	Burham, John B.	R. H. Brown and N. W. Brown.	90 00	Aug. 15, 1842.			do	150 00							In full.
43	Burham, John B.	R. H. Brown and N. W. Brown.	304 28	March 3, 1842.			do	503 18							In full.
44	Burham, Peter.	William Beller and G. G. G.	398 00	December 3, 1846.				599 50							In full.
45	Burham, Andrew.	P. R. Smith.	50 53	September 6, 1848.				55 00							In full.
46	Burham, John.	Samuel Newton and C. G. Newton.	582 00	March 15, 1843.							582 00	723 62	1,305 62	Debt lost.	
47	Burham, John.	Merrick Larkin and John M. L.	592 00	July 29, 1842.							592 00	765 52	1,357 52	Debt lost.	
48	Burham, George E.	John S. Blair and Joel D. Blair.	119 00	Feb. 17, do				35 00			119 00	123 18	242 18	Debt lost.	
49	Burham, John.	Robert A. Bunney and John W. Onstott.	236 00	Feb. 21, do							236 00	314 13	550 13	Debt lost.	
50	Burham, Mark.	Abel Oxford and James Oxford.	646 00	March 9, do							646 00	855 58	1,501 58	Debt lost.	
51	Burham, John.	James Brandon and Wm. N. Quintin.	142 00	Feb. 29, do							142 00	182 76	324 76	Debt lost.	
52	Burham, Samuel.	Frederick Graham and Wm. Skelton.	400 00	April 26, 1840.							400 00	589 10	989 10	Debt lost.	
53	Burham, John T.	Walter Thornberry and David C. Bricke.	41 00	March 9, 1843.							41 00	51 00	92 00	Debt lost.	
54	Burham, John.	David Mitchell and Samuel Carmichael.	50 00	Aug. 23, 1841.				25 00			32 66	39 70	72 36	Debt lost.	
55	Burham, John.	A. Harnage and John Hewitt.	42 00	Feb. 9, 1843.							42 00	52 54	94 54	Debt lost.	
56	Burham, John.	Henry Koontz and Henry Snider.	180 00	May 9, do							180 00	221 00	401 60	Debt lost.	
57	Burham, Sullivan.	Ebenezer Hannah and Milton Hannah.	30 00	Aug. 6, 1848.			Judgment for the bank.		37 00						In full.
58	Burham, B. G.	John R. H. Scott and M. T. Logan.	485 00	Sept. 9, 1845.	Washington	Unknown	All the parties.	49 80			485 00	506 54	991 54	Solvent.	
59	Burham, W. H.	L. Russell and P. Colvard.	82 73	Oct. 6, 1844.				70 00			51 35	32 86	84 21	Doubtful.	
60	Burham, E. C.	J. C. Bell and J. Burns.	25 00	October 4, 1844.	Washington	Unknown	Before J. P.				25 00	27 82	52 82	Doubtful.	Debt worthless.
61	Burham, F. F.	J. C. Chaney and John M. Cook.	162 00	October 9, do			Judgment for the bank.	175 00			63 96	40 93	104 89	Solvent.	
62	Burham, J. C.	F. S. Chaney and William Wilson.	122 00	Sept. 18, 1844.	Washington	Unknown	do	87 65			90 26	57 92	148 18	Tebbetts says this note is paid in full. The books do not show it.	
63	Burham, William.	John Cohee.	46 00	March 9, 1846.	Washington	Unknown	Before J. P.				46 00	47 20	93 20	Solvent.	
64	Burham, William C.	James T. Clark and M. Robinson.	74 97	Feb. 7, 1847.				45 00	44 71						In full.
65	Burham, William H.	R. H. Brown and J. B. Brown.	334 00	January 4, 1848.				360 59							In full.
66	Burham, Robert.	Mortgage on town lots.	151 00	January 8, 1845.			Judgment for the bank.	187 85			36 70	27 48	64 18	Solvent.	
67	Burham, B. B.	J. B. Johnson and W. S. Oldham.	197 00	Feb. 13, 1847.				109 66	116 68						In full.
68	Burham, George.	C. W. Dean and Matthew Leeper.	800 00	Aug. 29, 1842.			In suit.	105 00			800 00	928 16	1,728 16	Doubtful.	Barred by the statute.
69	Burham, John.	H. Davis and S. G. Smedley.	285 00	Aug. 15, 1844.				300 00	48 00						In full.
70	Burham, James.	John D. Moore and William Munkers.	1,002 00	April 1, 1842.							1,002 00	1,321 64	2,323 64	Debt lost.	
71	Burham, James.	John H. Strong and R. C. Clark.	1,343 00	January 31, 1842.							1,343 00	1,790 66	3,133 66	Debt lost.	
72	Burham, L. H.	L. Brodie.	296 00	Sept. 27, 1844.				20 00			296 00	311 52	607 52	Debt lost.	
73	Burham, H. C.	J. W. Dickson and W. S. Oldham.	419 00	April 27, 1843.				41 11			419 00	476 07	895 07	Debt lost.	
74	Crawford, John F.	William M. Crawford and John Swaggerty.	190 00	June 7, 1842.							190 00	248 20	438 20	Debt lost.	
75	Crawford, Wm. M.	John F. Crawford and Henry Ward.	258 00	Dec. 6, 1842.				19 62			258 00	307 18	565 18	Debt lost.	
76	Cassady, Wm. J.	Jesse Phelan and James D. Kirkland.	148 00	May 15, 1849.			Judgment for the bank.	108 75	61 00						In full.

B--Concluded.

No. of note.	PRINCIPAL.	SECURITIES.	Amount of note.	Note when due.	Residence of principal when note was given.	Date of judgment.	Names of parties against whom judgment was rendered.	Credits up to 31st Decem-ber, 1850.	Credits from 1st January, 1851, to 1st Sept. 1854.	Credits from 1st September, 1854, to 1st October, 1858.	Am't of principal due 1st Oct'r, 1858.	Interest due to 1st Octo-ber, 1858.	Total amount of principal and interest due 1st Oc-tober, 1858.	Supposed condition of debtors and their securities.	REMARKS.
77	Cook Jacob	P. R. Smith and C. Hester.	37 40	September 6, 1849											
78	Cartwright, Jacob.	James Brandon and Matthew Hubbard.	95 00	March 1, 1842				39 50							In full.
79	same	W. H. Pollard and Matthew Hubbard	223 00	do 9, do							95 00	126 03	221 03	Debt lost.	
80	Carr, James.	Thomas Gallison & Co., and C. E. Hillum.	85 00	do 31, 1841							223 00	302 14	530 14	Debt lost.	
81	Callahan, Dennis.	Matthew Hubbard and James Cartwright.	228 00	April 6, 1842							85 00	119 00	204 00	Debt lost.	
82	same	John B. Costa and C. M. McClellan.	80 00	do 20, do							223 00	300 96	523 96	Debt lost.	
83	Cowan, Robert.	James W. Cowan and L. F. Cowan	181 00	March 18, 1848	Washington	Unknown	In circuit court.	166 10			80 00	105 23	185 23	Debt lost.	
84	Crabaugh, George.	John Highland and J. M. Perryman	117 00	Sept'r 18, 1848				19 58	116 33		50 00	32 00	82 00	Solvent.	
85	Chandler, Jacob.	J. Thompson.	31 00	October 13, 1848				33 93							In full.
86	Crawley, S. W.	J. A. L. Throckmorton and John Risley.	50 00	January 15, 1849											In full.
87	Calfee, John.	Robert Fletcher and F. Harris.	38 00	March 15, 1843							50 00	36 81	86 81	Solvent.	
88	Casey, John, jr.	John Casey and Samuel Carmichael.	185 00	February 22, 1843							38 00	47 24	85 24	Debt lost.	
89	Cartwright, Jacob	Dennis Callahan and James S. Brandon	241 00	April 30, 1842							185 00	231 53	416 53	Debt lost.	
90	Cartha, George	William P. Clary and Ephraim Cate.	73 00	September 12, '42				49 78			241 00	308 48	549 48	Debt lost.	
91	Corley, D. S.	W. B. Strickler and Arthur Crawford	68 00	February 1, 1843							23 22	29 70	52 92	Debt lost.	
92	Cartwright, Jacob.	Matthew Hubbard and Henry Gregg	146 00	July 28, 1842							68 00	85 22	153 22	Debt lost.	
93	Cole, Calvin G	John Cole and John Huit	97 26	August 1, 1843							146 00	188 81	334 81	Debt lost.	
94	Campbell, Moses.	J. S. Gillett, Cureton, Shepperd and Smithson	4,474 00	June 5, 1840							97 26	115 57	212 83	Debt lost.	
95	Collins, W. W.	Not stated.	491 46	Unknown				550 00			4,474 00	6,557 05	1,1031 05	Debt lost.	
96	Campbell, John	As security for S. F. Atherton	271 00	March 9, 1842							271 00	358 07	629 07	Insolvent.	
97	Clary, Wm. P.	G. Cathey and E. Cotes.	202 00	Sept'r 12, 1842							202 00	259 36	461 36	Insolvent.	
98	Cathey, George	William P. Clary and E. Cotes.	361 00	October 29, 1842							361 00	459 66	820 66	Insolvent.	
99	same	same and E. C. Clary	123 00	Nov'r 13, 1842							123 00	156 18	279 18	Insolvent.	
100	Carter, John.	George W. Garrett and W. C. Garrett	375 00	April 1, 1842							375 00	495 00	870 00	Insolvent.	
101	Carmichael, Samuel	John Carnahan and R. D. Carnahan.	189 00	May 20, 1843							189 00	232 40	421 40	Insolvent.	
102	Cook, Thomas.	G. Lewis and Ebenezer Hanna	100 00	August 17, 1842				90 00	193 27						In full. This appears to be an over-pay'mt.
103	Clark, B. G.	As security for John Maloy	323 38	March 15, 1844							323 38	383 01	711 39	Insolvent.	
104	Criner, J. A.	Security not stated.	123 00	March 6, 1844							123 00	143 34	266 34	Insolvent.	
105	Callahan, Dennis	John Hock and J. Colville.	140 00	Dec'r 14, 1841							140 00	188 06	328 06	Insolvent.	Some of these debts may have been paid
106	Clements, A.	S. Jackson and H. B. Smith.	190 00	March 1, 1842							190 00	243 20	433 20	Insolvent.	
107	Caughman, Nathan.	P. White and C. White	111 00	February 3, 1843							111 00	138 38	249 38	Insolvent.	
108	Collins, James C.	John McGarra, et al	800 00	August 28, 1840							800 00	1,157 33	1,957 33	Insolvent.	
109	Dickey, Anthony	Samuel Stevenson	64 00	March 3, 1843							64 00	89 78	153 78	Debt lost.	
110	Duekworth, T. M.	James Caldwell and Warren Wright	540 00	July 9, 1842							540 00	700 00	1,240 00	Debt lost.	
111	Dennis, John	Benjamin Dennis and William Dennis, sr.	42 00	March 14, 1843				7 47			42 00	44 75	86 75	Debt lost.	
112	Davenport,	A. Harnage and John Huit.	86 00	February 9, 1842				7 50			86 00	106 92	192 92	Debt lost.	
113	Dickson, J. D.	G. G. Pace and E. J. A. Dickson	26 00	September 20, '45	Benton	Unknown	Before justice of the peace.	3 00			26 00	24 09	50 09	Solvent.	
114	Dickson, John B.	James A. Dickson and E. D. Dickson.	318 36	February 12, 1845				443 26							In full.
115	Dickinson, James P.	John J. Vanhooose and P. Mankins, jr.	81 00	September 9, 1844	Washington	Unknown	Before justice of the peace.	10 00			81 00	81 00	162 00	Solvent.	
116	Dillard, John	James A. Scott and W. Duval	735 00	September 6, '42	Crawford	same	Circuit court				735 00	944 72	1,679 72	Solvent.	
117	Dickson, M. W.	A. M. Morrison and W. W. T. Dickson.	85 00	March 9, 1847	Benton	same	Before justice of the peace.				85 00	78 50	163 50	Solvent.	
118	Dunlap, Jesse.	L. D. Dunlap and A. P. Dunlap	41 00	October 9, 1844				46 00							In full.
119	Dillingham, Arthur.	S. G. Sneed and A. Dillingham	258 15	May 18, 1849				268 90							In full.
120	Drake, Isaac.	J. Drake and E. Drake.	53 76	September 9, 1848				51 63							In full.
121	Dodson, G. M.	C. Mobley and C. R. Mobley.	73 00	Sept'r 12, 1842							73 00	96 3	169 32	Doubtful.	
122	Durham, Joab.	Securities unknown.		Unknown				93 00							In full.
123	Enyart, S. B.	John Enyart	852 00	April 18, 1848				1,020 00							In full.
124	Easley, William	L. Graham and B. M. Easley.	70 42	September 20, '47				30 00	55 51						In full.
125	Evans, Samuel	Securities unknown.	1,854 38	April 29, 1844					413 00		1,854 38	1,132 3	2,986 69	Compromised as.....	In full. Bank lost balance.
126	Estice, William J.	James Wilson and A. M. Wilson	158 00	March 3, 1843				206 33			338 00	298 8	636 83	Debt lost.	
127	Elliott, James	Jacob Durham and T. L. Green	128 83	September 25, '44				178 00			54 66	38 6	93 28	Compromised as.....	In full. Bank lost balance.
128	Evans, Onesimus.	Thomas C. Wilson and G. G. Gregg	338 00	March 21, 1844				94 00			42 00	55 7	97 72	Insolvent.	
129	Fletcher, Job	J. F. Harris and R. Fletcher.	81 00	September 9, 1844				60 00							In full.
130	Fletcher, James	B. Marshall and John Fletcher	42 00	July 25, 1842											In full.
131	Forrest, George W.	Andrew Newman and J. C. Pitner	216 43	April 21, 1849				237 00							In full.
132	Fletcher, John	A. B. James	37 00	March 15, 1848	Washington	Unknown	Before justice of the peace.				37 00	31 5	68 20	Doubtful.	
133	Floyd, James N.	W. W. Floyd and M. Rose.	152 54	October 20, 1848				163 47							In full.
134	Fletcher, Robert.	John Calfee and W. A. Throckmorton	85 00	March 6, 1843							85 00	102 0	187 00	Debt lost.	
135	Gilleland, J. B.	John P. Gilleland and William Perry.	308 90	April 1, 1844							308 90	357 2	666 18	Debt lost.	
136	Gillet, James S.	H. D. O'Bryant, H. G. Cardwell and R. P. Pulliam	90 00	September 3, '42							90 00	115 8	205 80	Debt lost.	
137	Graham, Allen.	Nelson Graham and Ira E. Graham	250 00	March 12, 1843							250 00	310 9	560 99	Debt lost.	
138	Graham, George.	James McKisick and John McGarra	95 00	February 29, 1842							95 00	126 0	221 03	Debt lost.	
139	same	Ira Graham and Ira E. Graham	27 00	do 6, do							27 00	35 0	62 00	Debt lost.	
140	Graham, Ira E.	Allen Graham and George Graham	68 00	March 12, 1843							68 00	74 5	142 58	Debt lost.	
141	Givens, Alexander.	H. F. Kerby and William Munkers.	95 00	do 1, 1842							95 00	126 03	221 03	Debt lost.	
142	Gibson, Joseph	Augustine Lillard and Aaron Parker.	36 00	do 12, 1843							36 00	44 00	80 00	Debt lost.	
143	Garrett, J. B.	James F. Gaines.	77 00	April 11, 1849	Scott	Unknown	Before justice of the peace				77 00	58 52	135 52	Solvent.	
144	Greenwood, A. B.	J. H. Hammock and J. B. Williams.	78 12	January 13, 1848							78 12	66 92	145 04	Solvent.	
145	same	S. G. Sneed and Isaac Murphy.	80 64	May 28, 1848							80 64	66 66	147 30	Solvent.	
146	Gregg, Jacob	Alexander Boyd and P. Skidmore	40 16	September 9, 1844				36 00			13 79	12 13	25 92	Doubtful.	
147	Garrett, W. C.	L. J. Garrett and G. W. Garrett.	71 79	do 12, do	Johnson	Unknown	Judgment for the bank				71 79	80 40	152 19	Insolvent.	
148	Garrett, M. W.	Wesley Garrett and L. J. Garrett	55 75	do 18, do	same	same	do do				55 75	62 56	118 31	Insolvent.	
149	Guthry, Thomas.	W. Thornberry and J. Brickley.	80 00	October 9, 1844	Benton	same	Before justice of the peace	10 00			80 00	79 23	159 23	Doubtful.	
150	Gordon, T. W.	Matthew Hubbard and H. G. Cardwell	977 00	March 15, 1843				1,200 00							In full. Bank lost balance.
151	Gardenhire, Jacob H.	James Riddle and S. Matlock	143 00	January 6, 1847				170 00							In full.
152	Gage, John	William Gage and L. C. Hudspeth	81 00	March 9, 1843							81 00	100 76	181 76	Solvent.	
153	Gage, William	John Gage and L. C. Hudspeth	42 36	same							42 36	52 76	95 12	Solvent.	
154	Graham, Berry D.	John McGarra and Levi Graham	191 00	do 9, 1842							191 00	222 38	413 38	Insolvent.	

B--Continued.

No. of note.	PRINCIPAL.	SECURITIES.	Amount of note.	Note when due.	Residence of principal when note was given.	Date of judgment.	Names of parties against whom judgment was rendered.	Credits up to 31st December, 1850.	Credits from 1st January, 1851, to 1st September, 1854.	Credits from 1st September, 1854, to 1st October, 1858.	Amount of principal due 1st Oct'r, 1858.	Amount of interest due 1st Oct'r, 1858.	Total amount of principal & interest due 1st Oct'r, 1858.	Supposed condition of debtors and their securities.	REMARKS.
150	Garrett, Leonard J.	Securities unknown.	273 92	Unknown.											These notes were paid under special contract, upon compromise. The bank lost the balance.
151	Garrett, G. W.	Securities unknown.	333 40	Unknown.				670 09							
152	Graham, Ira.	J. E. Graham and W. Graham.	304 00	March 9, 1842.							304 00	402 62	706 62	Insolvent.	
153	Glasgow & Harrison.	James Sutton and John Henry.	6,176 00	June 16, 1843.				8,338 25							
154	Hinds, David.	W. G. Turner and John Gregg.	819 90	October 9, 1844.							819 90	857 52	1,677 42	Debt lost.	
155	Henderson, Alfred.	No security.	434 25	October 17, do.							434 25	495 04	929 29	Debt lost.	
156	Herrick, Isaac.	William Miller, Samuel Putnam and James Armstrong.	475 00	February 29, 1842.							475 00	630 16	1,105 16	Debt lost.	
157	Hewitt, John.	Thomas B. Ballard and James Little.	93 00	Sept'r 1, do							93 00	126 09	224 09	Debt lost.	
158	Harmanson, Peter.	E. B. Alston and John J. Horton.	93 25	February 1, 1843.				41 00			93 25	105 86	199 11	Debt lost.	
159	Hock, John.	Jesse Hock and Jacob Cartwright.	120 00	March 9, 1842.							120 00	158 92	278 92	Debt lost.	
160	Harris, J. F.	John Calfee and R. Fletcher.	70 00	September 23, '43.							70 00	50 67	120 67	Doubtful.	
161	Hedman, John.	John Buchanan and H. B. Brown.	135 00	do 15, '44.	Washington.	Unknown.	Judgment for the bank.	55 00	83 83		135 00	96 20	231 20	Doubtful.	
162	Hewery, George.	Daniel Hewery and John McGarrath.	95 00	March 1, 1842.							95 00	126 20	221 20	Debt lost.	
163	Hick, Isaac.	William Miller and James Armstrong.	451 00	Sept'r 3, do							451 00	580 28	1,031 28	Debt lost.	
164	Hernage, Ambrose.	John Huit and William Davenport.	2,140 00	March 3, 1846.							2,140 00	2,667 86	4,807 86	Debt lost.	
165	Harris, J. F.	John Calfee and W. F. Throckmorton.	105 00	do 14, 1844.							105 00	122 15	227 15	Doubtful.	
166	Hannah, M. n.	Unknown.	121 00	Unknown.				127 67							
167	Hunt, William.	Unknown.	254 00	March 15, 1844.							254 00	295 48	549 48	Insolvent.	
168	Harris, Am. Ed.	Elias Rector and C. Harris.	1,935 00	do 10, 1841.							1,935 00	2,708 04	4,643 04	Insolvent.	
169	Hart, William.	O. Ramsey and George Lewis.	267 00	do 15, 1843.							267 00	331 97	598 97	Insolvent.	
170	Hobbs, Matthew.	T. W. Gordon and Jacob Cartwright.	567 00	September 3, '42.							567 00	729 55	1,296 55	Debt lost.	
171	Horn, W. K. John.	C. F. Hardwick and J. M. Holmes.	85 00	do 12, do.							85 00	45 03	130 03	Debt lost.	
172	Horn, W. K. John.	William W. Hurst and William Kier.	90 00	do 3, do.							90 00	115 80	205 80	Debt lost.	
173	Howry, David.	George Howry, sr., and M. Hubbard.	57 00	June 10, 1842.											
174	Horton, Benjamin.	Isaac Horton and M. Hubbard.	51 00	March 6, 1843.											
175	Hargraves, John.	S. Pharris, H. Hargraves and E. Barleson.	294 00	September 4, '44.	Washington.	Unknown.	Circuit court.	339 02	144 83						
176	Horn, William J.	C. E. Hillburn and M. Hillburn.	237 00	March 2, 1842.	same		same	68 70	128 00		59 23	85 13	144 36	In full.	
177	Hanger, Peter.	George W. Paschal and John Henry.	558 00	August 9, 1844.							558 00	630 16	1,188 16	Debt lost.	
178	Hawkins, Benjamin.	William Hawkins and W. C. Beaus.	155 90	March 9, 1843.											
179	Hanna, Samuel.	J. P. Hanna and Evan Hanna.	100 00	September 23, '47.	Washington.	Unknown.	Judgment for the bank.	177 50							
180	Hart, John.	John Johnson and William Johnson.	57 00	October 13, 1846.	same	Unknown.	Before justice of the peace.		67 83		64 79	35 83	100 62	Solvent.	
181	Harris, Robert.	James Harris and James Fletcher.	20 00	September 23, '47.	same	Unknown.	same same	28 50			28 50	27 29	55 79	Doubtful.	
182	Hazen, N. M.	Thomas Hazen and Morrill & Mearns.	500 00	December 12, '42.							20 00	17 63	37 63	Solvent.	
183	Hickey, A.	J. A. Hicks and Alexander Hulse.	168 17	November 12, '44.											
184	Hovey, John.	John M. Ross and S. J. Howell.	1,523 00	August 29, '42.				173 75	930 00						
185	Howard, William J.	C. S. Pace.	340 00	May 16, '49.	Benton.	Unknown.	William J. Howard.	1,913 57			340 00	254 99	594 99	Solvent.	
186	Hodgeson, S. W.	W. T. Neel and James P. Neel.	113 03	April 9, 1849.											
187	Horn, Peter.	Paschal & Ogden and Eli Bell.	3,820 63	February 6, '49.				141 25							
188	Howell, J. E.	P. R. Smith.	23 45	March 19, '49.					3,796 67	1,619 00					
189	Horn, John.	Joseph Holcomb and P. R. Smith.	166 00	December 18, '43.				25 73							
190	Horn, John.	Unknown.	100 00	October 1, '45.				123 00							
191	Horn, John.	Caleb Horton and J. Horton.	86 00	May 23, 1849.					100 00						
192	Irby, John C.	William Irby and Benjamin Irby.	103 00	August 11, '42.				34 10	4 00						
193	Irby, Elizabeth.	William Irby and Daniel Irby.	151 00	December 11, '42.							108 00	139 44	247 44	Debt lost.	
194	Irby, John C.	William Irby and Benjamin Irby.	370 00	January 27, '43.							151 00	190 90	341 90	Debt lost.	
195	Ingraham, James.	John Ingraham and E. C. Sneed.	86 00	February 13, '47.							370 00	444 00	814 00	Debt lost.	
196	Irby, William W.	B. F. Irby and J. C. Irby.	410 40	November 4, 1844.				104 00							
197	Irby, John.	William Irvin and Robert McCarty.	56 63	April 9, '44.					743 00						
198	Irby, John.	William C. Irvin and A. C. Yell.	365 00	do 19, '47.					63 26						
199	Irby, William G.	Thomas Moore and Barton Clem.	135 00	February 18, '41.				450 32							
200	Irby, James H.	E. E. McConnell and Thomas G. Robinson.	255 00	January 16, '42.											
201	Irby, James H.	same	140 00	March 1, 1842.							135 00	251 60	386 60	Debt lost.	
202	Irby, James H.	Alexander C. Yell and J. B. Cosar.	136 74	December 17, '44.	Washington.	Unknown.	In the probate court.				255 00	340 85	595 85	Debt lost.	
203	Irby, John.	John Johnson and John Holt.	33 00	September 13, 1846.	same	Unknown.	Before justice of the peace.	76 82			140 00	155 73	325 73	Debt lost.	
204	Irby, John.	J. A. Wheeler and B. F. Wheeler.	367 00	do 15, 1843.				14 30			103 67	75 79	179 46	Solvent.	
205	Irby, John.	William Tucker and John Fletcher.	34 00	March 4, '49.				399 58			33 00	21 12	54 12	Solvent.	
206	Irby, John.	William Collier and John W. P. P.	704 00	March 9, 1849.					40 00						
207	Irby, John.	Alfred Henderson and William P. Moore.	900 00	January 10, 1842.				1,097 00							
208	Irby, John.	John Brown and N. W. Brown.	231 00	do 3, 1848.				317 50			900 00	886 50	1,786 50	Doubtful.	
209	Irby, John.	John Henry and Edward Cunningham.	555 00	September 3, 1842.				272 40							
210	Irby, John.	John Lewis and L. Brodie.		September 26, 1841.							855 00	1,100 10	1,955 10	Debt lost.	
211	Irby, John.	John Munkers and William L. Munkers.		September 28, 1844.							200 00	263 52	463 52	Debt lost.	
212	Irby, John.	same et Adams and L. J. Garrett.	121 00	August 4, '45.				83 83			410 64	377 25	787 89		
213	Irby, John.	W. C. Roark and G. W. King.	613 00	February 21, 1844.				7 04			121 00	120 29	241 29	Insolvent.	
214	Irby, John.	W. Tilly and James White.	193 00	March 6, 1844.				177 50			613 00	539 02	1,152 02	Doubtful.	
215	Irby, John.	John Lloyd and William C. Rob.	150 00	March 1, 1842.							193 00	227 83	425 83	Doubtful.	
216	Irby, John.	J. L. Cravens and J. R. H. Scott.	343 00	March 6, 1843.							150 00	199 00	349 00	Doubtful.	
217	Irby, John.	Samuel Adams and M. Rose.	209 00	July 23, '41.				200 00			239 19	230 87	470 00	Solvent.	
218	Irby, John.	Unknown.	471 00	Unknown.				2 90			209 00	234 46	443 46	Solvent.	
219	Irby, John.	Unknown.	387												

B--Continued.

No. of note.	PRINCIPAL.	SECURITIES.	Amount of note.	Note when due.	Residence of principal when note was given.	Date of judgment.	Names of parties against whom judgment was rendered.	Credits up to 31st December, 1850.	Credits from 1st January, 1851, to 1st September, 1854.	Credits from 1st September, 1854, to 1st October, 1858.	Amount of principal due 1st Oct'r 1858.	Interest due to 1st October, 1858.	Total amount of principal and interest due 1st October, 1858.	Supposed condition of debtors and their securities.	REMARKS.
326	Gwyn, Charles	William Graham and Levi Graham	36 00	March 15, 1843.							36 00	44 76	80 76	Debt lost.	
327	Quinton, W. D.	Thomas McGarrab and H. White	360 00	March 12, 1843.							360 00	447 84	807 84	Insolvent.	
328	Reade, John S.	James M. Tebbetts and S. G. Sneed	100 00	May 8, 1846.					160 35						In full.
329	Reeves, Terrill	John Reeves and Gaston Reeves	180 00	September 3, 1842							180 00	231 48	411 48	Debt lost.	Tebbetts thinks this was paid to Pulliam.
330	Reeves, Dury	David P. Walker and J. Wheat	50 00	September 18, '44	Benton	Unknown	Judgment before justice of the peace.				50 00	56 10	106 10	Solvent.	
331	Richard, Levi	E. W. McClure and M. Wright	159 50	October 9, 1844.							159 50	178 15	337 65	Debt lost.	
332	Routh, Kenzie	J. Routh and J. L. Lillard	1,775 00	March 12, 1843.							1,775 00	2,208 09	3,983 09	Debt lost.	
333	Rutherford, Joseph	Moses Stout and Robert Rutherford	100 00	Oct. 3, 1844.							100 00	111 98	211 98	Doubtful.	
334	Rutherford, Robert	Moses Stout and A. Rutherford	96 00	September 3, 1844							96 00	108 16	204 10	Doubtful.	
335	Rector, Wharton	Elias Rector and John Rogers	361 00	July 23, 1840.							361 00	525 45	886 45	Debt lost.	
336	same	Elias Rector and David Thompson	2,810 00	Sept. 20, 1839				536 06			2,648 69	3,678 46	6,327 06	Debt lost.	
337	Russell, A. C.	William Russell and W. G. Jenkins	500 00	do 29, 1841.							500 00	680 00	1,180 00	Doubtful.	
338	Robinson, Littleberry	Thomas G. Robinson and E. E. McConnell	341 50	March 1, 1842				534 94							In full.
339	Robinson, Thomas G.	(Note not registered)	175 15	do 3, 1844.							175 15	273 16	378 31	Insolvent.	
340	Rhea, Pleasant V.	John Miller and T. W. Gordon	451 00	do 12, 1842.	Miller paid this amount and was released by the bank.			222 00			396 36	379 42	775 78	Debt lost.	
341	Russell, William	William H. Russell and A. C. Russell	152 00	Nov 24, 1841				95 00			148 53	106 92	255 45	Debt lost.	
342	Rector, Elias	Mortgage	2,669 67	October 3, 1845.			Judgment for the bank.		263 02	325 00	2,669 67	2,181 60	4,851 27	Insolvent.	
343	same	Mortgage	9,798 00	same			same				9,798 00	10,177 49	19,975 49	Insolvent.	
344	Robinson, J. B.	W. W. Dickinson and J. R. Morrison	171 00	March 12, 1843.			same				171 00	212 72	383 72	Insolvent.	
345	same	same	137 00	do 18, do			same				137 00	170 18	307 18	Insolvent.	
346	Robinson, Edward	E. E. McConnell and J. M. Wilson	57 00	September 9, 1847	Johnson	Unknown	Before justice of the peace.	33 10			29 88	19 12	49 00	Solvent.	
347	Roberts, Robert M.	V. T. Rogers and W. H. Pevey	600 00	March 1, 1842.							600 00	796 00	1,396 00	Debt lost.	
348	Raines, James S.	A. B. Anthony and L. Brodie	420 00	July 9, do							420 00	546 92	966 92	Debt lost.	
349	Reed, John	John J. Vanhoose, jr., and J. P. Dickinson	97 00	June 1, 1848.				112 83							In full.
350	Sanders, L. B.	P. Phillips and L. Banks	163 00	Sept. 9, 1844				207 22							In full.
351	Stout, J. W.	Unknown	164 00	February 15, 1844				41 25							Ross says this is in full of balance of judgment.
352	Swearingin, Samuel	Unknown	124 45	March 6, do				189 20							In full.
353	Stout, Moses	Unknown	267 00	do 19, do											
354	Stout, J. W.	H. W. Simpson and Joseph Stout	259 00	October 18, do							267 00	310 69	577 69	Doubtful.	
355	Stout, Joseph	J. W. Stout and R. Harrel	443 00	same					295 00						Compromised as in full.
356	Smithson, B. H.	Mortgage	550 49	January 6, 1845.				324 33			324 33				Compromised as in full.
357	Sanders, George W.	John Sanders and G. W. Phillips	345 83	February 3, 1849				550 40							Compromise as in full, and paid by off-set.
358	Sneed, Edward C.	Seaborn G. Sneed and William McGarrab	464 00	March 3, 1843.				368 00							In full.
359	Sneed, Seaborn G.	Edward C. Sneed and John B. Costa	2,919 00	do 13, do							464 00	578 45	1,042 45	Debt lost.	
360	Scott, John R. H.	Robert W. Jamison and John Logan	87 50	do 9, 1849					120 00		2,919 00	3,629 29	6,548 29	Debt lost.	
361	Sexton, Jacob	Samuel Cox	59 00	do 12, 1848				57 15							In full.
362	Skaggs, Andrew	John T. Arrington and William H. Field	219 56	do 6, 1843.							219 56	273 43	492 98	Debt lost.	
363	Smoot, Ira	Armistead Smoot and Samuel Myes	57 50	April 15, 1840.							57 50	99 65	157 15	Debt lost.	
364	Sexton, Milton	L. Brodie	403 20	Sept. 15, 1844							345 46	384 59	730 05	Debt lost.	
365	Stirman, James H.	Matthew Leeper and M. Thornberry	1,400 00	January 15, 1846.				64 00	1,383 19						In full.
366	Sweeney, A. W.	John M. Tuttle	96 00	March 10, 1848.				563 77			91 17	58 34	149 51	Insolvent.	
367	Sewatt James D.	James Hill and A. B. James	57 00	October 23, 1844.				20 28			57 00	57 67	114 67	Insolvent.	
368	Safford, John T.	Richard P. Pulliam and Charles F. Town	388 00	Sept. 12, 1842.				5 88			388 00	496 64	884 64	Insolvent.	
369	Smith, Henry B.	Britain Smith and Cooper Wilmoth	78 31	January 23, 1841.							78 31	101 26	179 57	Insolvent.	
370	Smith, James W.	Thomas Anderson and R. D. Anderson	81 00	March 27, 1843.							81 00	80 40	161 44	Debt lost.	
371	Smithson, B. H.	Elias Rector and Wharton Rector	2,000 00	Sept. 29, 1840.				20 00			2,000 00	2,880 04	4,880 04	Debt lost.	
372	Snappard, J. M.	Campbell & Cureton, B. H. Smithson and Wm. McK. Ball	1,000 00	do 23, 1839.							1,000 00	1,521 60	2,521 60	Debt lost.	
373	Smith, Henry L.	A. B. Greenwood	679 06	do 18, 1844.			Judgment for the bank.	611 66			465 34	297 77	763 11	Solvent.	
374	Skelton, Ralph	J. Miller, jr., and A. Conner	226 00	April 15, 1845.			same				226 00	243 31	469 31	Insolvent.	
375	Shaver, Jacob	W. Kizer and W. J. Shaver	36 00	Sept'r 9, 1844			same								In full.
376	Simpson, Joshua	John Ward and Augustus Ward	168 00	do 6, 1843.			same	84 00	57 80		99 46	110 72	210 18	Insolvent.	
377	Saddler, T. P.	A. S. Heck and J. P. Saddler	206 66	March 6, 1847.			same	110 00			141 60	96 42	238 22	Solvent.	
378	Swagerty, John	Reese B. Ward and W. M. Crawford	630 00	October 1, 1844.			same	961 32							In full.
379	Spagle, Emanuel	Samuel Adams and E. S. Moffat	2,825 00	October 17, 1844.			same	220 00			2,825 00	2,833 38	5,658 38	Debt lost.	
380	Sorels, James	Samuel Smoot and John Carter	306 00	Sept'r 23, 1844.			same	472 39							In full.
381	Sinclair, Abraham	Jeremiah Moreland and Samuel Adams	694 00	March 3, 1842.			same				964 00	1,278 90	2,242 90	Insolvent.	
382	Smith, James W.	Thomas Anderson and R. A. Anderson	90 00	Nov. 27, 1841	Franklin	Unknown	Before justice of the peace.	10 00			90 00	111 10	201 10	Debt lost.	
383	Stevens, J. B.	William C. Stevens and B. Hawkins	144 00	January 9, 1845.			Judgment for the bank.	225 00							In full.
384	Smith, Burton	J. W. Stout and James Thompson	294 00	May 18, 1846.			same	341 25							In full.
385	Keens, James H.	John Skeen and H. Samuels	71 00	March 9, 1847.	Washington	Unknown	Before justice of the peace.	41 66			39 76	25 44	65 20	Doubtful.	
386	Stotts, Hiram	James G. McConnell and A. McCampbell	33 03	October 9, 1847.				39 08							In full.
387	Sawyers, James M.	S. G. Sneed and John Billingsley	110 37	January 9, 1847.			Judgment for the bank.	133 46							In full.
388	Son, Abraham F.	Richard Wright and David Trotter	174 00	March 12, 1843.			same	281 00							In full.
389	Southerland, Robert	James A. Scott and Wash Duval	220 57	Dec. 9, 1845.					360 00						In full.
390	Stirman, William	Samuel Alexander and R. P. Pulliam	358 00	Sept'r 11, 1844.				234 56	175 00						In full.
391	same	J. H. Stirman and T. J. Pollard	407 00	do 9, do				50 00			407 00	407 64	814 64	Solvent.	
392	Stotes, W. D.	William Farmer and George Lewis	63 93	July 31, 1844.				78 73							In full.
393	Stelle, John	S. Stelle and William Mayfield	536 00	October 4, 1847.			Judgment for the bank.	644 66							In full.
394	Smith, Presley R.	R. Pitman	355 00	April 15, 1849.				395 20							In full.
395	Tryon, John W.	John B. Costa and B. H. Smithson	46 00	Dec. 29, 1841.							46 00	61 58	107 58	Debt lost.	
396	Turner, S. and G.	David Hinds and Daniel Wilson	198 18	Oct. 18, 1844.							71 28	45 93	117 21	Debt lost.	
397	Thompson, David	John Henry and John Gregg	810 00	Sept'r 22, 1839.				200 00			810 00	1,262 64	2,072 64	Debt lost.	
398	same	John Henry and John Drennen	765 00	February 9, 1840.							765 00	1,140 87	1,905 87	Debt lost.	
399	same	E. Rector, Wash Duval and William McK. Ball	1,000 00	July 4, 1839.							1,000 00	-1,539 10	2,539 10	Debt lost.	
400	Tebbs, William	O. Kendrick and James White	70 00	March 12, 1843.							70 00	87 07	157 07	Debt lost.	
401	Trammell, Dem.	S. G. Sneed and Armistead Smoot	85 00	January 22, 1840.							85 00	112 40	197 40	Debt lost.	
402	Tuttle, J. mes M.	W. D. Cunningham and O. Evans	952 00	Oct. 6, 1844.			Judgment for the bank.	1,414 99	171 02						In full.
403	Truman, James W.	Bright Truman and John R. Truman	23 64	September 6, 1844	Carroll	Unknown	Before justice of the peace.				23 64	26 59	50 23	Insolvent.	

*This name was written Quinton, Charles, which the books show as error

6
B--Concluded.

No. of note.	PRINCIPAL.	SECURITIES.	Amount of note.	Note, when due.	Residence of principal when note was given.	Date of judgment.	Names of parties against whom judgment was rendered.	Credits up to 31st December, 1850.	Credits from 1st January, 1851, to 1st September, 1854.	Credits from 1st September, 1854, to 1st October, 1858.	Amount of principal due 1st Oct'r, 1858.	Amount of interest due 1st Oct'r, 1858.	Total amount of principal and interest due 1st Oct'r, 1858.	Supposed condition of debtors and their securities.	REMARKS.
404	Tebbetts, James M.	John B. Costa and W. D. Reagan	513 83	February 13, 1848				573 83							In full.
405	Thornberry, Walter	D. C. Buckley and W. T. Thornsberry	44 00	March 18, 1843	Benton	Unknown	Before justice of the peace.	5 00			44 00	49 70	93 70	Doubtful.	In full.
406	Thomas, Lacy	Unknown	400 00	November 20, '44				450 00							In full.
407	Venters, Jesse	William Graham and A. Graham	135 00	March 6, 1844	Benton	Unknown	In circuit court	10 00			135 00	174 14	282 14	Doubtful.	In full.
408	Vernon, Isaac B.	G. Trammell and John Enyart	99 00	October 18, 1845			Judgment for the bank		112 00						In full.
409	Vanhooose, John jr	James P. Dickson and J. J. Vanhooose	50 00	same			Judgment for the bank	57 55							In full.
410	Vanhooose, John	Unknown		Unknown				413 45							In full.
411	Ware, James.	James Moore, H. Cureton and John Ware	245 00	Dec'r 12, 1841				456 00							In full.
412	Webber, G. E.	Not on the books.	322 00	March 9, 1844							322 61	356 00	678 61	Doubtful.	In full.
413	Whitehead, William	Clement Mobley and A. Morton	284 00	June 3, 1841							284 00	393 81	677 81	Insolvent.	In full.
414	White, James	William Tibbs and O. Kendrick	123 00	March 6, 1842							123 00	168 02	286 02	Insolvent.	In full.
415	Wilson, Green	Samuel Wilson and A. M. Wilson	131 66	March 9, 1847			Judgment for the bank	108 25	80 00						In full.
416	Woolsey, Samuel	Josiah Trent and William J. Wilson	15 45	February 9, 1849				15 95							In full.
417	Walker, John J.	James F. Quail and S. W. Jester	357 00	February 29, 1846				416 26							In full.
418	Wilson, John M.	A. M. Wilson	157 48	September 3, '47				100 00	90 00						In full.
419	Wilcox, Henry	Unknown	313 20	August 15, 1849				313 20							In full.
420	Wright, Maurice	J. B. Russell and John Lewis	3,373 94	November 9, '44				2,469 54	2,337 65						In full.
421	Wilson, John M.	Henry S. Wilson	2,270 18	November 20, '49				1,414 58	1,018 00						In full.
422	Wood, Abraham	William Price and William Kizer	306 00	March 15, 1845							306 00	321 50	627 50	Doubtful.	In full.
423	Wilson, Alfred M.	Richard P. Pulliam	456 00	September 23, '49				150 00	389 90						In full.
424	Wallace, Willis S.	L. H. Wallace and O. Evans	1,309 75	August 6, 1842				154 72			1,309 75	1,537 49	2,847 24	Debt lost.	In full.
425	Williams, John H.	Henry Williams and W. Mankins	65 00	March 6, 1843							65 00	82 68	147 68	Debt lost.	In full.
426	Williams, Ruth	Sherwood Williams and B. Spear	41 00	February 6, 1843							41 00	51 06	92 06	Debt lost.	In full.
427	Walthrop, James	A. Oxford and B. H. Oxford	35 00	March 15, 1843							35 00	43 51	78 51	Debt lost.	In full.
428	Withrow, Richard	Joshua Boren, P. M. Phillips and B. Titsworth	128 00	May 6, 1843				195 00							In full.
429	White, Carroll	G. Kendrick and James White	117 00	February 9, 1843							117 00	146 38	263 38	Debt lost.	In full.
430	White, Sherwood	John Wilson and R. Carness	68 00	March 16, 1843							68 00	84 53	152 53	Debt lost.	In full.
431	White, James	O. Kendrick and William Tibbs	50 00	November 24, '41							50 00	67 40	117 40	Debt lost.	In full.
432	Wright, Warren	James H. Wright and T. M. Duckworth	76 00	March 9, 1842							76 00	94 60	170 60	Debt lost.	In full.
433	Webb, Isaac	S. Strickland and Joseph Miller, jr.	227 00	April 18, 1843				10 00			227 00	280 40	507 40	Debt lost.	In full.
434	Wolf, Andrew D.	Joshua Simpson and A. M. Ward	96 50	April 15, 1843			Judgment for the bank				96 50	119 63	216 13	Debt lost.	In full.
435	Wilson, Andrew D.	Z. Moulden and T. M. Williford	66 00	March 13, 1845			same same	342 24			66 00	71 53	137 53	Insolvent.	In full.
436	Williams, John E.	Hardy Kelly and William Cardin	323 31	September 12, '44			same same				39 00	46 88	85 88	Insolvent.	In full.
437	Wayland, Francis	James Murray and Daniel Berfoot	39 00	September 4, 1843			same same	33 33			87 39	50 05	177 44	Insolvent.	In full.
438	Woody, William B.	Abraham Whinnery and W. B. Fullerton	87 39	June 9, 1842			same same	83 83			754 00	83 61	1,627 61	Debt lost.	In full.
439	same	Abraham Whinnery and M. S. Woody	754 00	August 9, 1842				83 83			722 00	842 73	1,564 73	Debt lost.	In full.
440	same	Abraham Whinnery and A. B. Greenwood	722 00	September 15, '42				30 00			13 00	18 32	21 32	Solvent.	In full.
441	Whinnery, Z. M.	Abraham Whinnery and John Galbreath	31 00	October 9, 1846	Benton	Unknown	Before justice of the peace.				153 62	111 36	324 98	Debt lost.	In full.
442	Ward, John C.	R. B. Ward and A. M. Ward	153 62	September 6, 1844							244 00	244 09	518 09	Insolvent.	In full.
443	Waldren, Solomon	John Waldren and John Matlock	244 00	do 15, 1844			Judgment for the bank				180 00	222 80	392 80	Insolvent.	In full.
444	Wilson, Daniel	J. C. Boyer and H. Fleman	180 00	do 3 1844			same same				4,433 30	4,855 42	9,318 72	Insolvent.	In full.
445	Wilson, Washington L.	John Wilson and C. M. McClelland	4,433 30	December 12, '44				166 57							In full.
446	Walker, David P.	J. M. Hawkins and William Hawkins	109 00	March 12, 1843				373 62							In full.
447	Whinnery, Abraham	Z. M. Whinnery and Joseph McKisick	294 00	Sept. 18, 1846			Judgment for the bank	30 00	30 00						In full.
448	Washington, C. H.	Jacob Cartwright and C. W. Dean	45 00	do 29, 1844				6 06	83 00						In full.
449	Wisener, T. D.	J. H. Stirman and T. J. Pollard	62 67	August 6, 1844											In full.
450	Willbanks, William	John Pierson and John Holcomb	12 00	March 1, 1849											In full.
451	Webster, John B.	A. H. McKisick and J. B. Simpson	685 00	August 28, 1841				900 41	294 00						In full.
452	Yates, Thomas L.	D. P. Collins and Moses Kehoe	190 00	March 1, 1842							190 00	2 06	442 06	Doubtful.	In full.
453	Yell, Archibald.	Unknown		Unknown				605 00							In full.
Amounts paid J. M. Tebbetts, bank attorney, which we cannot find notes against the parties to correspond with the payments, and suppose the amounts to have been paid by securities.															
455	J. B. Russell	J. J. May paid Tibbetts 7th March, 1851							158 00						In full of last note.
456	Lynus Armstrong	Paid Tibbetts previous to 6th April, 1849						223 52							In full. Cannot tell where credit belongs [to.
457	Lorenzo Lafferty	Paid Tibbetts in Arkansas money						90 00							In part. Can't tell where credit belongs to.
458	J. Vanhooose	Paid Tibbetts 17th April, 1849							268 58						Can't tell what note this credit belongs to.
459	E. C. Beller	Peter Beller	350 00			April 16, 1849	All the parties		786 40						Can't tell what note credit belongs to.
460	J. B. Webster	John West and John Lewis	450 00	August 8, 1838				751 71							In full. Not on Ross' list in 1850.
461	J. W. Turman	P. Turman and J. R. Turman	23 00	Sept. 6, 1844							23 00	25 76	48 76	48 76	Not on Ross' list in 1850.
462	L. Robinson	Note for specie	224 00	April 28, 1850											Assumed by Hanger & Howell.
463	Hanger & Howell	Note for specie for Robinson	276 41	Sept 8, 1851											In full.
464	G. Evans	Amount paid for purchase of property by Wallace							312 12						Received from sale of property.
			193,559 65					74,097 65	31,882 02	1,044 00	120,177 88	142,258 22	262,436 10		

OFFICE OF THE FINANCIAL RECEIVER OF THE BANK OF THE STATE OF ARKANSAS,
Little Rock, Arkansas, 10th October, 1858.

WM. M. GOUGE,
A. H. RUTHERFORD,
State Accountants under act of 15th January, 1857.

FAYETTEVILLE BRANCH BANK.

These remarks are condensed from reports and letters of the attorneys of said branch, and from information received by the financial receivers of the principal bank, and from various sources:

NOTES Nos. 1 and 2.—The amounts lost to the bank.

NOTE No. 3.—We cannot ascertain the date of the credit of \$597 28, nor to whom the money was paid. If it was paid to Mr. Pulliam, we cannot find where he entered it on the books.

NOTE No. 4.—Judgment for the bank in circuit court, but reversed by supreme court. See English's Reports, volume 4, page 455. Now pending in the circuit court. Final disposition unknown, but the debt is believed to be lost.

NOTE No. 6.—Debt lost to the bank. This note was classed by Mr. Ross as doubtful, but the lapse of time since any payment, would indicate its loss.

NOTE No. 7.—Parties insolvent.

NOTE No. 10.—Parties insolvent.

NOTE No. 12.—This note has been classed as solvent, but recent information is to the effect that the collection of the balance is doubtful.

NOTES Nos. 13 and 15.—Are doubtful—no late information concerning them.

NOTE No. 14.—Is overpaid, but the balance was intended to be applied to other notes, which we have been unable to specify.

NOTE No. 16.—Was compromised by payment of \$80. The balance is lost.

NOTES Nos. 22 and 23.—Classed as debts lost. There is a probability that Note No. 23 was paid, or settled in land. No definite account of it.

NOTES Nos. 24 and 27.—Parties insolvent, and parties to note No. 27, all dead. Mr. McKisick says \$33 73 must be added to note No. 24, being a credit to Boatright.

NOTE No. 30.—Classed as doubtful, and debt considered lost.

NOTE No. 32.—The defendants thought to be solvent. No recent information about the note.

NOTE No. 34.—J. S. and J. D. Blair have gone to Texas. Mitchell is good.

NOTES Nos. 35 and 36.—Parties gone to Texas, and the debts lost.

NOTE No. 38.—This debt is lost to the bank. The statute had

run on it before it was placed in the hands of the bank attorney.

NOTES Nos. 46, 47, 48, 49, 50, 51, 52, 53, 54, 55 and 56.—Debts lost as classed by Mr. Ross, and we have no recent information showing that any part could now be collected.

NOTE No. 58.—Judgment has been rendered in Washington circuit court upon this note—an execution was issued and levied upon property—the property was not sold, and *three* writs of vend. ex. have been issued, and the property remains yet unsold. This debt can be collected, as the parties are good. Another ven. ex. has been *ordered*, and the property will be sold and the debt collected during the fall or winter.

NOTES Nos. 59 and 60.—Doubtful, and No. 60 worthless.

NOTE No. 61.—Is thought to be solvent, and may be collected.

NOTE No. 62.—Tebbetts says this note is paid in full, but the books do not show it. The balance may be regarded as lost.

NOTE No. 63.—Was classed as solvent by Mr. Ross, but we can hear nothing of its condition recently, and therefore think it doubtful, if not lost.

NOTE No. 66.—Mr. Tebbetts says this debt is paid, except a small balance of \$5 or \$10. What is yet due can be collected.

NOTE No. 68.—This debt was classed by Mr. Ross as doubtful, it being then in suit. But statute of limitation has been pleaded successfully. The claim was barred before suit was commenced.

NOTES Nos. 70, 71, 72, 73, 74, 75, 78, 79, 80, 81 and 82.—Lost. We have not been able to learn anything of recent date about these notes, and therefore regard them as lost.

NOTE No. 83.—This debt is thought to be good, and may be collected.

NOTE No. 86.—Mr. Ross classed this debt as solvent, but we have not had any recent information about the parties, whether they are solvent or not. It is perhaps doubtful.

NOTES Nos. 87, 88, 89, 90, 91, 92, 93 and 94.—Classed by Mr. Ross as lost, and we have not been able to ascertain anything of a definite character respecting them. They may be regarded as lost to the bank.

NOTES Nos. 96, 97, 98 and 99.—Mr. Ross classed these notes in 1850 as insolvent, and we have no information respecting the parties that would authorize us to change the classification.

NOTES Nos. 100, 101, 103, 104, 105, 106, 107 and 108.—Mr. Ross said in 1850, in his report, "some of these eight judgments may be paid in full, or in part, but the books show no payments on any of them. As they have been of long

standing, and I know *some* of the parties to be insolvent, I have set them all down as insolvent. Some of them may be yet paid." We can find nothing new since in regard to them.

NOTES Nos. 109, 110, 111 and 112.—Classed in 1850 as lost; and we are without any other evidence respecting them.

NOTES Nos. 113, 115, 116 and 117.—In 1850, these notes were classed as solvent by Mr. Ross; John Dillard, the principal on note No. 116, is dead; the security, James A. Scott, is solvent. Scott lives in Missouri. Duval did not sign the note.

NOTE No. 121.—Classed as doubtful.

NOTE No. 122.—Amount not known.

NOTE No. 125.—This debt was compromised by Mr. Ross after his report in 1850; and \$413 received as in full of the judgment. The bank lost \$2,986 69 by the compromise.

NOTE No. 128.—Classed as lost in 1850.

NOTE No. 129.—This judgment was compromised by the payment of \$60. The balance \$93 28 was lost by the compromise.

NOTE No. 130.—Classed as insolvent in 1850, by Mr. Ross.

NOTE No. 132.—Classed as doubtful in 1850.

NOTES Nos. 134, 135, 136, 137, 138, 139, 140, 141 and 142.—All classed by Mr. Ross in 1850 as lost, and we have no late information about them.

NOTES Nos. 143, 144 and 145.—Were classed as solvent in 1850, and the amount can probably yet be collected.

NOTE No. 146.—Classed doubtful in 1850, and now regarded lost. \$36 was collected on note 146, and retained by Denton to pay cost.

NOTES Nos. 147 and 148.—Classed as insolvent in 1850.

NOTE No. 149.—Classed as doubtful in 1850.

NOTE No. 150.—Was compromised for \$1,200 as in full, balance lost.

NOTES Nos. 152 and 153.—These notes were classed solvent in 1850.

NOTE No. 134.—Classed as insolvent in 1850.

NOTES Nos. 155 and 156.—Were compromised and paid under special contract with Mr. Tebbetts.

NOTE No. 157.—Classed as insolvent in 1850.

NOTE No. 158.—Compromised as in full—the bank lost balance.

NOTES Nos. 159, 160, 161, 162, 163 and 164.—Were classed as lost in 1850, and no information about them since.

NOTE No. 165.—Classed as doubtful, but the balance yet due may be collected.

NOTE No. 166.—Classed as solvent in 1850, but now thought to be doubtful.

NOTES Nos. 167, 168 and 169.—These notes were classed as lost

in 1850, and we have no information that they are better now.

NOTE No. 170.—Classed as doubtful in 1850.

NOTES Nos. 172, 173 and 174.—Classed as insolvent in 1850. No information since respecting them.

NOTES Nos. 175, 176 and 177.—Classed as lost in 1850.

NOTES Nos. 178 and 179.—Are both paid in full. By some error, note No. 178 was, in 1850, classed as lost. It has been since paid. The amount paid on note No. 179, should, in the report of 1850, have been divided and applied to the payment of note No. 178 also.

NOTE No. 181.—The balance due on this judgment can be collected.

NOTE No. 182.—Judgment obtained on this note in Washington circuit court for the bank. Defendant appealed to the supreme court, and Mr. Lincoln dismissed it, for what reason it is not known, so the debt is lost.

NOTE No. 184.—Classed as solvent in 1850, and no information about it since.

NOTE No. 185.—Classed as doubtful in 1850, and no further information about it.

NOTE No. 186.—Classed as solvent in 1850, and we know nothing more about it.

NOTE No. 190.—Was classed as solvent by Mr. Ross in 1850, and it is thought that it may still be collected.

NOTE No. 194.—Compromised as in full, by payment of \$125.

NOTE No. 195.—Compromised as in full, by payment of \$100

NOTES Nos. 197, 198 and 199.—Classed by Mr. Ross as lost in 1850.

NOTES Nos. 204, 205 and 206.—Classed by Mr. Ross as lost in 1850.

NOTES Nos. 207 and 208.—Classed as solvent in 1850, by Mr. Ross.

NOTE No. 212.—Classed as doubtful in 1850, by Mr. Ross.

NOTE No. 214.—Statute of limitation plead successfully, and the debt thereby lost. The parties are solvent. Knox is dead, also Cunningham.

NOTE No. 215.—Lost by neglect of receivers or attorneys, at Fayetteville.

NOTE No. 216.—Compromised by the payment of \$83 33; the balance lost.

NOTE No. 217.—Classed as insolvent in 1850, by Mr. Ross.

NOTES Nos. 218, 219 and 220.—Classed as doubtful by Mr. Ross in 1850.

NOTES Nos. 221 and 222.—Classed as solvent in 1850, and can be collected, doubtless, as the securities to each are good. But from the length of time due, it is lost, doubtless.

Cravens and Adams are both dead, and it was not presented against the estates.

NOTE No. 229.—Classed lost in 1850.

NOTE No. 230.—Mr. Ross classed this as solvent in 1850, and it may be collected yet. The parties reside in Scott county.

NOTES Nos. 232, 233, 234 and 235.—Classed in 1850 by Mr. Ross as lost.

NOTE No. 239.—Compromised by payment of \$200 in specie, and by note given for \$224 in specie. Mr. McConnell was believed to be insolvent, and Ross says it was the best arrangement he could make. The balance of the debt lost to the bank.

NOTES Nos. 240 AND 241.—Classed in 1850 by Mr. Ross as lost.

NOTES Nos. 243 AND 244.—Classed in 1850 by Mr. Ross as insolvent.

NOTE No. 245.—Classed as doubtful in 1850 by Mr. Ross. Debt lost.

NOTE No. 246.—Classed as solvent in 1850, but thought doubtful now.

NOTE No. 247.—Classed as lost in 1850, and the same in 1858.

NOTE No. 248.—Barred when placed in Tebbetts' hands for collection. Classed as doubtful in 1850; may be put down as lost.

NOTES Nos. 250, 251, 252, 253 AND 254.—Classed by Mr. Ross as lost in 1850.

NOTE No. 255.—Classed by Mr. Ross in 1850 as insolvent.

NOTE No. 256.—Classed by Mr. Ross in 1850 as doubtful, and in 1858 as lost.

NOTE No. 257.—This note was given for rent of the race track at Fort Smith, the bank holding it by mortgage. Mr. Wallace sold the title the bank had under execution, and the note for the rent was paid by compromise with \$66 66 in *specie*.

NOTES Nos. 258, 259, 260 AND 261.—Classed by Mr. Ross as insolvent in 1850.

NOTES Nos. 262 AND 263.—Were presented to the probate court of Pope county and allowed—defendant appealed to circuit court, upon the ground that the affidavit to the claims was not made by the proper officer, the financial receiver of the principal bank, who was then Mr. Ross, and the judgment of the probate court *reversed*; and the *debts lost*, the *time* having expired for making a proper affidavit, and again to present them for allowance.

NOTES Nos. 265 AND 266.—Classed by Mr. Ross as insolvent in 1850.

NOTES Nos. 267, 269 AND 270.—Classed as doubtful by Mr. Ross in 1850.

NOTES Nos. 271 AND 274.—Classed as solvent in 1850 by Mr. Ross.

NOTE No. 276.—Classed as insolvent in 1850 by Mr. Ross.

NOTE No. 282.—Solvent, judgment in Pulaski circuit court against Gen. Samuel Mitchell et al. The debt will be paid.

NOTE No. 284.—Classed in 1850 by Mr. Ross as insolvent.

NOTES Nos. 285 AND 386.—Classed as lost in 1850.

NOTE No. 288.—Classed doubtful in 1850, and may now be put down as lost.

NOTE No. 289.—Classed as solvent in 1850, but may be put down as lost in 1858.

NOTES Nos. 293, 294, 295 AND 296.—All classed as lost.

NOTE No. 297.—Classed as lost in 1850 by Ross.

NOTE No. 300.—Mr. Ross, in 1850, stated on his tables, "this note appeared to have been renewed, but we cannot find where any money was paid, or what has become of the new note. Mr. Tebbetts says the whole note was paid to Mr. Pulliam; if so we cannot find anything on the books to show it." We have classed it doubtful.

NOTES Nos. 303, 304, 305, 306, 307, 308, 309 AND 310.—These notes were classed by Mr. Ross, in 1850, as *lost*, and we have no information about them since.

NOTES Nos. 311, 312, 313 AND 314.—Classed as insolvent in 1850.

NOTE No. 316.—Classed with the insolvent by Mr. Ross, in 1850.

NOTE No. 318.—Classed as doubtful by Mr. Ross, in 1850.

NOTE No. 321.—Judgment against the bank, in this case; the defendant appealed to supreme court; there it was dismissed, and that is the last of it. Paschal is solvent, and lives in Texas. But the debt may be put down as lost.

NOTE No. 223.—Was renewed and paid by note No. 322.

NOTE No. 325.—The amount of this note is unknown, but \$230 is reported by the attorney on it as payment in full. It is registered as being only \$36 00.

NOTE No. 326.—Classed in 1850, by Ross, debt lost.

NOTE No. 327.—Classed in 1850, by Mr. Ross, as insolvent.

NOTE No. 329.—Classed in 1850 by Mr. Ross as lost.

NOTE No. 330.—Mr. Tibbetts thinks that this note was paid to Mr. Pulliam; if so, we can find nothing on the books to show it. The note is classed as solvent, but under the circumstances, may be regarded as lost.

NOTES Nos. 331 AND 332.—Classed as lost. Note No. 332, was barred by the statute before it went into the hands of Tebbetts. The parties are non-residents and insolvent.

NOTES Nos. 333 AND 334 —Classed by Ross in 1850 as doubtful.

NOTES Nos. 335 AND 336.—Classed by Ross, in 1850, as lost.

NOTE No. 337.—Classed as doubtful by Ross.

NOTE No. 339.—Classed as insolvent, in 1850, by Ross.

NOTES Nos. 340 AND 341.—Classed in 1850 as lost.

NOTES Nos. 342, 343, 344 AND 345.—Classed in 1850 as insolvent.
NOTE No. 346.—Classed as solvent, but we do not know any thing further about it.

NOTES Nos. 347 AND 348.—Classed as lost in 1850.

NOTE No. 351.—Ross says that \$41 25 paid Tebbetts is the balance.

NOTE No. 353.—Classed as doubtful.

NOTES Nos. 354, 355 AND 356.—Paid on compromise and by set-off.

NOTES Nos. 358, 359, 362, 363 AND 364.—Classed as debt lost, in 1850.

NOTES Nos. 366, 367, 368 and 369.—Classed as insolvent in 1850, now classed as lost.

NOTES Nos. 370, 371 and 372.—These notes and judgments were classed by Mr. Ross, in 1850, as debts lost.

NOTE No. 373.—Is classed as solvent, and can be collected, we think. Mr. Greenwood is known to be good.

NOTES Nos. 374 and 376.—Are classed as insolvent.

NOTE No. 377.—It is thought can be collected. An execution is now in the hands of the sheriff.

NOTE No. 379.—This note is wholly *worthless*. Judgment against the estate of Samuel Adams, deceased.

NOTE No. 381.—Classed as insolvent in 1850. Sinclair and Adams are now dead. Moreland insolvent.

NOTE No. 382.—Classed as doubtful in 1850. No information since.

NOTE No. 385.—Classed as solvent in 1850. It is now regarded as doubtful.

NOTE No. 391.—This note is still in the hands of Tebbetts, and will doubtless be collected. It is classed as solvent.

NOTES Nos. 395, 396, 397, 398, 399, 400 and 401.—Classed, in 1850, as lost—and no information about them since. Note No. 400 is canceled on the bill book, and may have been paid. It was turned over to Gen. Clarke, as assets of the bank in 1849.

NOTE No. 403.—Classed in 1850 as insolvent.

NOTE No. 405.—Classed as doubtful in 1850.

NOTES Nos. 407 and 412.—Mr. "Tebbetts thinks that note 407 was paid in 1847." There is nothing on the books to show it, if it was. Note No. 412, is not registered on the bill book, and may not be dated correctly in this report. These notes are both classed as doubtful.

NOTES Nos. 413 and 414.—Classed as insolvent in 1850, and no information about them since.

NOTE No. 422.—The parties are not in the country. They were good when here, but the debt may be classed now as lost.

NOTES Nos. 424, 425, 426, 427, 429, 430, 431, 432, 433 and 434.—Were all classed, in 1850, as debts lost. Since then we

have not been able to learn anything about them that would induce us to believe any part of these debts will ever be paid.

NOTES Nos. 435, 437 and 438.—Classed as insolvent in 1850, and we have no late information about them.

NOTES No. 439 and 440.—Classed by Mr. Ross, in 1850, as debts lost.

NOTE No. 441.—Judgment before justice of the peace in Benton county, and classed as solvent in 1850, by Mr. Ross. No information about it since.

NOTE No. 442.—Classed, in 1850, as debt lost.

NOTES Nos. 443, 444 and 445.—Classed, in 1850, as insolvent.

NOTE No. 452.—Classed as doubtful in 1850.

IN APPENDIX.

NOTE No. 455.—Paid Tebbetts 7th March, 1851, and said to be in full of last note. We find no note against the principal unpaid.

NOTE No. 456.—Paid Tebbetts previous to 6th April, 1849, and in full. This payment must have become confounded with a previous or subsequent one, which had already been applied to the credit of the principal on his own note, which was paid about this time.

NOTE No. 457.—Paid Tebbetts, in Arkansas money, \$90, in part; cannot tell what note to credit with the amount. Lafferty has no note in bank.

NOTE No. 458.—Paid Tebbetts 17th April, 1852, \$268 58. We cannot tell what note this credit should be placed on, as the principal on the note owes nothing to the bank. It was paid like many of the other credits, by a security, on some note, without disclosing the name of the principal.

NOTE No. 459.—There is some difficulty about this note; the amount is \$350—and it was paid to Ross by Peter Beller, one of the securities, in 1854, who alleged that it had been previously paid. By examining note No. 29, it will be seen that E. C. Beller owed a note for \$445, which had been paid in full. Peter Beller says that these notes are the same, and that payment of the largest note paid and discharged note No. 460. The books and reports in the bank do not show this transaction very clearly, and there is some doubt about the facts.

NOTE No. 460.—This note was not on Ross's list in 1850.

NOTE No. 461.—This note was not on Ross' list in 1850, and we have classed it as lost.

NOTE No. 462.—This note was for specie, and assumed by Hanger & Howell, who put in new note for the amount, with interest.

NOTE No. 463.—This note was put in by Hanger & Howell to pay note No. 462 for specie.

NOTE No. 464.—This amount paid for the purchase of property by Alfred Wallace. And we suppose it was property sold belonging to the bank. We have not been able to find a clear report of the matter in the bank, or get it from any one else.

A TABLE—Showing the condition of the Notes and Bills due at the Batseville office of the Bank of the State of Arkansas, up to 1st October, 1858.

No. of note.	PRINCIPAL.	SECURITIES.	Amount of note.	Note when due.	Residence of principal when note was given.	Date of judgment.	Names of parties against whom judgment was rendered.	Credits up to 31st December, 1850.	Credits from 1st January, 1851, to 1st Sept., 1854.	Credits from 1st September, 1854, to 1st Oct., '58.	Amount of principal due 1st October, 1858.	Interest due to 1st October, 1858.	Total amount of principal and interest due 1st October, 1858.	Supposed condition of debtors and their securities.	REMARKS.
1	Allen, Bonaparte	Andrew Allen, jr., and Henry A. Egles	370 00	January 31, 1843.	Independence		In suit, result unknown								In full.
2	Arnold, John N.	Alfred Arnold and D. G. W. Magness	394 00	July 1, 1844.	same	March 1850.	Non-suit, appeal to supreme court.		696 08		343 16		343 16		Compromised as in full, Sept. 30 1858.
3	same	D. G. W. Magness and Joseph Drennen	136 00	same	same		Non-suit		253 40						In full.
4	Arnold, Alfred	D. G. W. Magness and John N. Arnold	396 00	June 4, 1845.	same	March 1850.		100 00	523 00						In full.
5	Allen, George	Bonaparte Allen and A. G. Creath	171 00	Feb. 1, 1843.					317 80						In full.
6	Adair, William	John L. Johnson and William Pyburn	500 00	Dec. 27, 1838.		June 4, 1839.	Adair, Johnson and Pyburn.	30 00			500 00	740 00	1,240 00		Insolvent.
7	Akin, Trent C.	Jesse Bean and William Rainy	133 00	February 10, 1845							133 00	138 32	271 32		Debt lost.
8	Alford, John C.	Levi Moore and John Moore	247 31	August 5, 1844.							247 31	278 41	525 72		Doubtful.
9	Adams, Richard	John Foster and Orrin Terrill	85 00	July 1, 1844.							85 00	96 90	181 90		Debt lost.
10	Allen, Abraham	Andrew Allen, jr., and Andrew Allen, sr.	942 31	August 7, 1844.				1,105 00							In full.
11	same	Andrew Allen, jr., and T. S. Morrison	35 00	June 1, 1846.				37 45							In full.
12	Arnold, John	P. A. McDaniel, J. W. Bond and Jesse Terry.	65 00	same				73 67							In full.
13	Allen, Abraham	Henry Neil and James E. Pelham	68 00	same										Assumed by E. T. Burr.	In full.
14	Brandon, James A.	F. A. Morrison and John Ringgold	380 00	July 1, 1844.				475 00							In full.
15	Blunt, B. H.	Alexander G. McFarland and Jacob H. Peel.	350 00	July 18, 1843.							350 00	395 25	745 25		Insolvent.
16	Byers, William	E. W. Jordan, M. W. Baltimore and H. Holdaway	832 00	August 21, 1842.							832 00	1,070 79	1,903 79		Doubtful.
17	Bowen, Marady	A. G. Creath and Warren Johnson	137 00	December 25, '42							137 00	175 16	312 16		Insolvent.
18	Barnett, John	Thomas S. Palmer and James Clark	104 00	Feb. 14, 1843.											In full.
19	same	Jeremiah Barnett and James Clark	346 00	July 1, do				196 55			346 00	423 64	769 64		Insolvent.
20	same	same	365 00	same							365 00	430 05	795 05		Insolvent.
21	Barnett, James S.	T. Underwood and W. W. Tunstall.	323 00	October 25, 1843.							323 00	411 28	734 28		Doubtful.
22	Barnett, Jeremiah	John Barnett and F. S. Morrison	243 00	March 1, 1843.							200 00	96 00	296 00		Insolvent.
23	Bowen, Marady	D. J. Jones and Arthur Dillingham	85 00	Feb. 24, do				218 00			85 00	102 00	187 00		Debt lost.
24	Brundrett, John	J. H. Brundrett and C. F. M. Noland	50 00	July 26, 1842.							50 00	64 66	114 66		Debt lost.
25	Brundrett, J. H.	H. Holdaway and W. P. Morris	67 00	July 24, 1843.							67 00	81 26	148 26		Debt lost.
26	same	H. Holdaway and Henry Neil.	95 00	Jan. 25, do							95 00	119 06	214 06		Debt lost.
27	Eagley, James	James Simpson and Henry Neil	213 00	July 1, 1844.											In full.
28	Bird, A. H.	C. S. McKinney and John Hulsey	247 00	same				390 95							In full.
29	Bentley, Joseph E.	Septimus Williams and Robert Williams	121 60	same				438 13			88 71	62 61	151 32		Insolvent.
30	Baird, William	Elisha Harguss and William Harguss	243 20	same										Assumed by E. T. Burr, and new note, in full.	In full.
31	Baird, Alvin	Thomas Hughes and C. F. M. Noland	300 00	same											In full.
32	Byers, William	James H. Patterson, and M. W. Baltimore.	1,246 85	same				552 00							In full.
33	Crown, Harri-on	William Magness and Jesse Terry	864 00	same				1,596 36			864 00	984 96	1,848 96		Insolvent.
34	Brandy, William H.	Olysses Merchant and S. B. Wycough	123 00	same											In full.
35	Baltimore, M. W.	William Byers and W. H. Hunt	325 00	August 14, 1844.		July 1847.	Estate of Baltimore	109 53			325 00	367 24	692 24		Insolvent.
36	Blount, Allen	Henry Neil and Nathan Rany	70 00	August 10, 1845.				86 80							In full.
37	Bowen, Marady	W. J. Bowen and C. H. Bowen.	70 00	October 28, 1845.		June 29, 1849.	M. Bowen.				70 00	72 32	142 32		Doubtful.
38	Burr, E. T.	P. P. Burton and Isaac Tucker	350 00	Oct. 22, do						500 00					In full.
39	same	J. E. Pelham, C. H. Pelham and W. L. McGuire	622 00	June 10, 1846.				663 47							In full.
40	same	P. P. Burton and Green H. Shaw	239 17	May 20, 1847.				410 00							In full.
41	same	P. P. Burton and Isaac Tucker	200 00	July 8, 1846.				147 93							In full.
42	Beller, William	George W. Feller and Garrett Greer	422 00	July 1, 1846.				465 00						Balance assumed by W. C. Bevens and new note \$68 27.	In full.
43	Bates, Robert	A. R. Porter and A. P. Sherrill.	160 00	July 8, 1846.											In full.
44	Blakemore, C. N.	A. J. Greer and William B. Hay	1,000 00	February 16, 1839		December 3, '39.	Blackmore, Greer and Hay.	246 65			1,000 00	1,430 00	2,430 00		Debt lost.
45	Brown, John	Alexander Robinson, James Waddell, T. H. Morris, et al.	8,000 00	August 13, 1841							8,000 00	10,650 00	18,650 00		Doubtful.
46	Brandrett, John	J. H. Brandrett and H. Holdaway	71 00	Aug. 24, 1842.							71 00	91 35	162 35		Doubtful.
47	Burriss, J. M.	A. D. Burriss and William B. Burriss	145 00	March 20, 1840.							145 00	214 81	359 81		Debt lost.
48	same	same	375 00	June 3, 1840.		June 3, 1840.	Burriss, Burriss and Burriss.				375 00	450 00	825 00		Debt lost.
49	Bates, Robert	William P. Morris and James Pope	1,351 00	July 1, 1844.				2,375 65							In full.
50	same	William J. B. Flournoy and James Pope.	871 00	same				1,406 60							In full.
51	Bevens, William C.	H. F. Fairchild and William L. McGuire	1,063 26	October 4, 1849.						308 03	1,063 26	765 54	1,828 80		Solvent.
52	same	Alfred Bevans and E. L. McGuire	542 00	July 10, do							542 00	400 00	942 00		Solvent.
53	Burton, P. P.	E. T. Burr and Green H. Shaw	235 62	October 1, 1850.											In full.
54	Bond, J. W.	David Maxwell and J. R. Bucklev	335 46	May 28, 1850.				200 00			154 95	94 00	248 95		Solvent.
55	Clark, Wiley	James Clark and Thomas Pattison	207 00	February 4, 1843.							207 00	259 44	466 44		Doubtful.
56	Carter, James P.	Thomas Carter and Joshua Lee	2,300 00	March 21, 1843.							2,300 00	2,797 11	5,097 11		Debt lost.
57	same	same	343 00	same							343 00	426 08	769 08		Debt lost.
58	Crawford, Colby	Vineyard Crawford and S. M. Crawford	170 00	May 26, 1843.							170 00	198 53	368 53		Debt lost.
59	Crawford, S. M.	Vineyard Crawford and Colby Crawford	213 00	same							213 00	261 28	474 28		Debt lost.
60	Criswell, S. H.	A. W. Lyon, W. S. Hynson and William M. Wolf	1,228 00	March 17, 1843.							1,228 00	1,526 81	2,754 81		Doubtful.
61	Cruett, John	D. C. Waters, F. C. Fulcher and B. P. Crump.	170 00	February 18, do				15 00			170 00	197 30	367 30		Doubtful.
62	Clark, James	John Barnett and Wiley Clark	170 00	Feb. 27 do							170 00	211 93	381 93		Doubtful.
63	Crise, Phillip	William Counts and L. L. Parks	237 00	November 1, '42.							237 00	298 62	535 62		Insolvent.
64	Chandler, George	O. P. Goodwin and E. Collins.	97 25	June 20, 1843.							97 25	118 80	216 05		Debt lost.
65	same	E. Collins and Elijah James	80 00	Nov. 15, 1844.							80 00	88 79	168 79		Insolvent.
66	Counts, William	Richard Counts and John Moore.	85 00	Feb. 7, 1843.							85 00	106 37	191 37		Debt lost.
67	Crise, Phillip	E. D. White and William Seamans	100 00	April 6, 1844.							100 00	118 78	218 78		Debt lost.
68	Counts, Richard	J. Moore and A. Waggoner.	50 00	July 29, 1842.							50 00	64 66	114 66		Debt lost.
69	Caldwell, Andrew	Daniel C. Ruddle and M. W. Reindhart	307 00	December 23, '42				122 75			225 17	254 03	479 20		Debt lost.
70	same	Daniel C. Ruddle and John Miniken	813 00	July 21, 1843.							813 00	988 24	1,801 24		Debt lost.
71	Caldwell, George W.	Daniel C. Ruddle and Andrew Caldwell	452 00	August 1, 1843							452 00	548 42	1,000 42		Debt lost.
72	Cornwall, Silas	James T. Elms and John Ruddle	208 00	July 1, 1844.							208 00	236 55	444 55		Insolvent.
73	Cornwell, G. W.	F. C. Fulcher and James Robinson	163 00	April 15, 1846.				115 00			163 00	77 34	240 34		Doubtful.
74	Criswell, L. B.	F. L. Criswell and Hill Dillard	182 00	July 1, 1844.							182 00	207 68	389 68		Doubtful.
75	same	Charles O'Neil, M. M. Hess and Obijah O'Neil	250 00	same							250 00	285 00	535 00		Doubtful.
76	Church, Freeman	J. C. Knettle and Miles Williams.	148 00	same							148 00	168 72	316 72		Doubtful.

Notes 69, 70 and 71.—Mr. Bevans thinks these notes were paid, or settled before Feb., 1847; but Mr. Ross was unable to find any evidence of their payment. And we have found none showing that they were ever paid.

2
C-Continued.

No. of note.	PRINCIPAL.	SECURITIES.	Amount of note.	Note when due.	Where judgment obtained or residence of debtors.	Date of judgment.	Names of parties against whom judgment was rendered.	Credits up to 31st December, 1850.	Credits from 1st January, 1851, to 1st September, 1854.	Credits from 1st September, 1854, to 1st October, 1858.	Am't of principal due 1st Oct'r, 1858.	Interest due to 1st October, 1858.	Total amount of principal and interest due 1st October, 1858.	Supposed condition of debtors and their securities.	REMARKS.
77	Carter, Thomas S.	Robert Williams and Septimus Williams.	361 00	July 1, 1844				216 91							In full.
78	same	James E. Pelham and C. H. Pelham.	184 00	August 5, 1845.				250 00	275 57						In full.
79	Cate, John T.	H. R. Hynson, Robert Munday and H. Simpson.	153 00	July 4, 1844.							153 00	174 42	328 42	Doubtful.	
80	Creath, Albert G.	Henry Neill, and Daniel C. Ruddle.	75 00	August 1, 1844.							75 00	85 50	160 50	Debt lost.	
81	Cason, Sebron.	Gabriel Frost and M. W. Baltimore.	118 00	October 28, 1844.							118 00	131 36	249 36	Debt lost.	
82	Criswell, S. H.	James Wren, Joshua Hightower and A. Walker.	1,142 00	July 1, 1844.							1,142 00	1,301 88	2,443 88	Debt lost.	
83	Crockett, W. B. J.	W. H. Crockett and J. G. Young.	83 25	June 6, 1845.							83 00	88 48	171 48	Debt lost.	
84	Candler, William.	Septimus Williams and William S. Hynson.	101 00	July 1, 1845.							101 00	107 00	208 00	Doubtful.	
85	Cromwell, G. W.	James Robinson and John Robinson.	49 50	do 21, do							49 50	51 48	100 98	Debt lost.	
86	Culp, Thomas.	Andrew Caldwell and Daniel C. Ruddle.	351 00	August 5, 1845.				86 00			295 00	240 40	535 40	Debt lost.	
87	Crump, B. P.	James Robinson and A. M. Carter.	60 21	July 1, 1846.							60 21	58 80	119 01	Debt lost.	
88	Counts, George.	Henry Neill and Isaac Fulson.	208 00	do 15, 1846.				45 00	196 00		100 00	96 10	196 10	Doubtful.	In full.
89	Caldwell, Andrew.	A. R. Graham and W. L. McGuire.	100 00	May 10, 1846.		Unknown.	Caldwell, Graham and McGuire.								In full.
90	Cooper, J. M.	J. M. Mitchell and H. L. Egan.	130 00	July 1, 1846.				142 86							In full.
91	Causin, G. N.	S. H. Tucker and Robert Clements.	183 00	August 7, 1846.					246 64						In full.
92	Chapman, Daniel J.	Mortgage on real estate.	1,575 52	February 18, 1846.				1,246 00			456 06	421 34	877 40	The paym't taken in full, and bank lost the balance.	
93	Curl, Henry H.	Allen D. Burris and Thomas J. Curl.	318 75	April 16, 1849.							318 75	469 58	588 33	Debt lost.	
94	Curl, Thomas J.	No security stated.	1,000 00	March 27, 1839.		December 3, 1840.	Thomas J. Curl.				1,000 00	1,560 09	2,560 00	Insolvent.	
95	Cheatham, J. B.	Ruffin Brown and Richard Hargraves.	280 00	August 9, 1840.		do 8, do	Cheatham, Brown and Hargraves.				280 00	370 02	650 02	Insolvent.	
96	Curl, Thomas J.	William Strong and William Dobson.	150 00	March 12, 1840.		Aug. 10, 1841.	Curl, Strong and Dobson.				150 00	222 66	372 66	Insolvent.	
97	Curl, Henry H.	William Strong and D. L. Pryor.	375 00	June 13, 1842.		June 13, 1842.	Strong and Pryor.				375 00	473 58	848 58	Insolvent.	
98	Chandler, William.	N. T. Hynson and W. S. Hynson.	114 00	Dec'r 17, 1842.				114 00							In full.
99	Dickinson, W. H.	Thomas Carter and Henry Neill.	207 00	June 25, 1843.							207 00	269 32	476 32	Insolvent.	
100	Dearman, John.	William S. Hynson and N. T. Hynson.	190 00	October 29, 1841.							190 00	264 60	454 60	Debt lost.	
101	Dye, Henry C.	A. S. Dye, J. Hulsey, J. Drennen and J. Lawrence.	393 00	May 1, 1843.							393 00	484 67	877 67	Solvent.	
102	Davis, William.	J. H. Reese, H. B. Temple and Joshua Lee.	377 00	January 18, 1843.					568 14		99 58	47 79	147 37	This payment was made as in full. Bank lost the balance.	
103	Dye, Henry C.	W. B. J. Flournoy and H. Holdaway.	225 00	March 23, 1842.							225 00	297 37	522 37	Solvent.	
104	Dickinson, W. H.	John Minikin and Ulysses Merchant.	112 00	August 1, 1842.							112 00	144 85	256 85	Debt lost.	
105	Daugherty, David.	F. C. Fulcher and Isaac Gray.	80 00	April 4, 1849.							80 00	60 27	140 27	Debt lost.	
106	Drew, Thomas S.	J. H. Rives and A. C. Kelly.	2,476 00	do 29, 1843.				4 00	1,000 00		2,476 00	2,053 72	4,529 72	Doubtful.	
107	Day, William & Co.	D. W. Lowe and W. H. Hunt.	462 50	September 1, 1845.							462 50	463 56	926 06	Solvent.	
108	Davis, Gabriel.	Isaac Wren and S. H. Criswell.	76 00	July 1, 1844.							76 00	87 12	163 12	Debt lost.	
109	Duer, William.	J. F. Moore and J. H. Egner.	405 65	same							405 00	461 70	866 70	Doubtful.	
110	Dillingham, A.	Thomas Dillard and Mary Dillard.	206 00	same		Unknown.					206 00	234 84	440 84	Solvent.	
111	Dillard, William.	William M. Wolf and George W. Wolf.	170 00	do 7, do		March 17, 1849.	Estate of Dillingham in probate court.				170 00	194 80	364 80	Doubtful.	
112	Denton, Jonathan.	Hawkins Rice and F. C. Fulcher.	93 00	January 1, 1845.			William Dillard.				90 00	99 00	189 00	Solvent.	
113	Daugherty, A. S.	H. H. Means, W. B. Means, J. Loupe, W. Deloach & L. L. Dean.	141 26	July 1, 1845.							141 26	146 90	288 16	Doubtful.	
114	Deloach, Josiah.	same	1,333 33	March 12, 1845.											In full.
115	same	same	1,333 33	same				2,500 00			2,156 00		2,156 00	Compromised, by which the bank lost \$2,156 00.	
116	same	same	1,333 33	August 4, 1843.											In full.
117	Denton, William F.	Joseph H. Egner and John Ringgold.	1,350 00	Dec'r 19, 1841.							1,350 00	1,638 00	2,988 00	Debt lost.	
118	Dickinson, William H.	Benjamin Dickinson and T. Dickinson.	1,226 00	do 28, 1842.							1,226 00	1,642 84	2,868 84	Debt lost.	
119	same	Benjamin Dickinson.	209 00	March 7, 1842.							209 00	263 24	472 24	Debt lost.	
120	Dunum, R. S.	W. B. J. Flournoy and James E. Pelham.	47 00	do 9, 1841.							47 00	62 98	109 98	Debt lost.	
121	Dunman, H.	John Waggoner and William Hammond.	85 00	February 24, 1841.							85 00	119 36	204 36	Debt lost.	
122	same	W. H. Dickinson and J. Brundrett.	170 00	December 10, '41.		Aug. 11, 1841.	All the parties.				170 00	239 35	409 35	Insolvent.	
123	Dorris, J. S.	Saunders Hunter and John Holbert.	170 00	July 13, 1842.		Dec'r 10, 1841.	All the parties.				170 00	228 54	398 54	Insolvent.	
124	Dickinson, W. H.	Ulysses Merchant and Thomas S. Carter.	157 00	January 13, 1842.			All the parties.				157 00	203 57	360 57	Insolvent.	
125	Elkins, Thoret.	Daniel C. Ruddle and William Byers.	133 00	January 12, 1845.		August 4, 1857.	Elkins.				133 00	167 00	300 00	Doubtful.	
126	Elms, James F.	Jonathan Johnson and S. Cornwall.	193 00	March 1, 1843.							193 00	238 96	431 96	Doubtful.	
127	Engles, Henry A.	Andrew Allen, jr. and S. R. Hynson.	323 00	June 28, 1843.											Compromised as in full.
128	Egler, Joseph H.	John Minikin and W. D. Engles.	1,500 00	July 26, 1844.				370 00			500 00	566 66	1,066 66	Insolvent.	
129	Engles, Peter, sr.	W. B. Hay, William C. Trice and E. H. Fletcher.	84 00	October 25, 1845.				1,000 00			184 00	188 60	372 60		{Mr. Ross thought this note had been paid, if it has, the amount has never been reported to the bank.
130	Elliott, Wright W.	Edwin R. McGuire and William F. Denton.	3,000 00	Aug. 8, 1839.		June 10, 1841.	Elliott, Hay, Trice and Fletcher.				3,000 00	4,595 00	7,595 00	Insolvent.	
131	Foster, John.	Andrew Waggoner and John Waggoner.	617 00	July 29, 1843.					971 90						In full.
132	Fleming, James.	Ehas B. Roddy, D. W. Waters and J. Tayman.	114 00	Nov'r 3, 1841.					100 00		113 56	54 48	168 04	Doubtful.	
133	Fulcher, F. C.	W. Johnson and S. B. Wycough.	771 00	August 9, 1842.							771 00	995 44	1,766 44	Doubtful.	Fulcher is dead.
134	Foster, William.	John T. Smith and William Byers.	105 45	July 1, 1844.											In full.
135	Folson, Isaac.	Daniel Mitchell and Nicholas H. Izard.	484 50	same				134 85							
136	Fulkerson, W. M.	Elias B. Roddy.	750 00	June 4, 1839.		December 3, '39.	Fulkerson, Mitchell and Izard.				484 50	562 52	1,047 02	Doubtful.	
137	Fulcher, Fred C.	Allen Flippin and Thomas Flippin.	500 00	Unknown.		June 14, 1842.	Fulcher and Roddy.				750 00	1,160 00	1,910 00	Insolvent.	
138	Goodman, Jesse.	L. Williams, George Counts and Thomas J. Carter.	290 00	November 25, '42.							500 00	734 00	1,234 00	Insolvent.	This note is not on the books of the bank.
139	Gardner, Charles J.	Jesse Goodman and Allen Flippin.	451 00	Aug. 8, 1842.							290 00	369 53	659 53	Doubtful.	
140	Goodman, Z. P.	Dury Wilson and George Thompson.	70 00	Sept'r 15, 1842.							451 00	582 48	1,033 48	Debt lost.	
141	Garrett, Pryor.	Henry Neill and Nicholas Long.	171 00	July 1, 1844.				232 56			70 00	89 60	159 60	Debt lost.	
142	Grooms, Isaac.	Lym n G. Spinks and E. H. Gregory.	120 65	same		March 15, 1849.	Grooms, Neill and Long.				120 00	137 53	257 53	Solvent.	In full.
143	Gregory, Erastus.	Isaac Gray and Jesse Gray.	457 20	same		November 29, '47.	Spink.				457 20	520 98	978 18	Doubtful.	
144	Gray, John.	George Gill, jr. and John C. Gill.	247 00	do 10, do											
145	Gill, George, sr.	W. J. Hassel and James Wilson.	143 80	do 4, 1847.											In full.
146	Glenn, M. W.	A. Dunn and W. R. Lafferty.	67 44	August 7, 1845.				125 98		500 00				Jane Gill gave new note for bal., \$70, and transferred to principal bank.	
147	Gatton, John.	Andrew J. Neely and E. C. Frisby.	1,150 00	September 1, 1845.		June 14, 1841.	Greer, Neely and Frisby.	83 17			1,150 00	1,197 83	2,347 83	Doubtful.	In full.
148	Greer, Andrew J.	William Byers and James Pope.	253 13	February 21, 1840.							253 13	376 30	629 43	Insolvent.	
149	Hynson, William S.	A. P. Sherrill and Daniel J. Chapman.	785 20	July 1, 1844.							785 20	895 12	1,680 32	Doubtful.	
150	same	D. F. Jones and J. Woodrome.	403 75	same							403 75	460 23	863 98	Doubtful.	
151	Hotchkiss, H. K.	D. F. Jones and Diury Wilson.	246 00	January 26, 1843.					416 12		8 64	4 59	13 23	Doubtful.	
152	same	Abraham Allen and Henry A. Engles.	100 00	October 26, 1846.							100 00	126 66	226 66	Debt lost.	
153	Hynton, S. R.	Joseph Penticost and W. S. Hynson.	558 00	February 19, 1843.											Compromised with Allen, security, as in full.
154	same		238 00	May 20, 1843.				530 00			288 00	353 89	641 89	Debt lost.	

C--Continued.

No. of note.	PRINCIPAL.	SECURITIES.	Amount of note.	Note when due.	Where judgment obtained, or residence of debtors.	Date of judgment.	Names of parties against whom judgment was rendered.	Credits up to 31st December 1850.	Credits from 1st July, 1851 to 1st September, 1854.	Credits from 1st September, 1854 to 1st October, 1858.	Amount of principal due 1st Oct'r, 1858.	Amount of interest due 1st Oct'r, 1858.	Total amount of principal and interest due 1st Oct'r, 1858.	Supposed condition of debtors and their securities.	REMARKS.
155	Hughes, Thomas	William L. McGuire and A. W. Lyon	475 00	February 24, 1843.							475 00	592 16	1,067 16	Doubtful.	
156	same	same	3,186 00	August 2, 1843.							3,186 00	3,845 61	7,031 61	Doubtful.	
157	Holdaway, Henry	James E. Pelham and J. H. Brundrett.	475 00	May 16, '42.							475 00	623 24	1,097 24	Debt lost.	
1	John	John Ruddle and Samuel R. Hynson	1,799 00	July 1, '44.							1,799 00	2,050 61	3,849 61	Debt lost.	
1	Derby, Richard	Henry A. Engles and Robert Bates	70 00	June 13, 1842.							70 00	91 10	161 10	Debt lost.	
1	John	David Hall, jr. and David Hall, sr.	135 00	July 1, 1844.							135 00	153 90	288 90	Debt lost.	
1	David, jr.	John Hall, George Pearson and William Pearson	259 35	same				80 00			259 35	265 65	525 00	Debt lost.	
1	Henderson, J. W.	James B. Lawrence and James Clark	127 00	same		November 29, '47.	Henderson	1,032 53			127 00	144 78	271 78	Debt lost.	In full.
1	tant, Henry W.	Green H. Shaw and William L. McGuire	752 69	same				1,204 67							In full.
1	same	D. W. Lowe and M. W. Baltimore	902 50	same											
1	Holland, William	James W. Henderson and J. B. Lawrence	114 00	same							114 00	129 96	243 96	Doubtful.	
1	Hess, William	Elisha Baird and William Baird	75 00	same											In full.
1	Hess, J. M.	James H. Patterson and John Simpson	570 00	same				866 40							In full.
1	Hightower, J.	S. H. Criswell, Joseph Wien and William Hightower	80 00	same							80 00	91 20	171 20	Debt lost.	
1	Harris, James A.	H. B. Harris and R. B. Harris	451 50	July 1, '47.			W. B. Hay and Trice	516 48							In full.
1	Hynson, Charles S.	John Drennen and Henry R. Hynson	91 67	October 24, '45				104 50							In full.
1	Hagan, George J.	John Roddy and A. J. Daugherty	110 00	April 16, 1846							110 00	109 62	219 62	Doubtful.	
1	Hay, W. B.	William C. Trice and Thomas F. Hay	1,000 00	August 3, '39		December 23, 1841.					1,000 00	1,531 10	2,531 10	Insolvent.	
1	Hargraves, R. H.	J. W. Holbert and G. B. Myrick	579 00	June 13, 1841			Holt, Murphy and Moore				579 00	800 95	1,379 95	Debt lost.	
1	Hotchkiss, H. K.	D. F. Jones, D. Wilson, E. Jones and W. Johnson	309 00	February 4, 1843.			do do and Strong				300 00	376 00	676 00	Debt lost.	
1	Holdaway, Henry	John Brundrett and J. Waggoner	63 00	July 1, '42.			Hunter, Burris and Doriss				63 00	81 90	144 90	Debt lost.	
1	Holt, Henry S.	Nimrod Murphy and G. B. B. Moore	562 50	January 5, '40.		June 6, '40.	Hay, Greer and Holson				562 50	840 00	1,402 50	Insolvent.	
1	same	Nimrod Murphy, William Strong and G. B. B. Moore	2,010 00	October 23, 1839.		do 14, '42.	Holdaway, Jordan and Brundrett				2,000 00	3,026 66	5,026 66	Insolvent.	
1	Hunter, Sanders	William Burris and J. S. Dorris	191 25	June 16, 1840		December 8, '40.	Hynson, Hynson and Pentecost				191 25	279 82	471 07	Insolvent.	
1	Hay, W. B.	Andrew J. Greer and Rawly Holson	259 20	July 29, '41		June 15, 1842	Howard, Dickinson and Fleming				259 20	355 96	615 16	Insolvent.	
1	Holdaway, Henry	E. W. Jordan and J. H. Brundrett	197 00	August 3, 1842		December 17, '42.	Martin				197 00	252 16	449 16	Insolvent.	
1	Hynson, H. R.	W. S. Hynson and Joseph Pentecost	312 00	March 21, 1842		do 19, do.	Izard, Burris and Hargraves				312 00	1,073 64	1,385 64	Debt lost.	
1	Howard, Willard	William H. Dickinson and J. Fleming	255 00	September 10, 1840		August 10, '41.	Izard, Higgins and Martin				255 00	363 32	618 32	Insolvent.	
1	Izard, N. H.	William Higgins and Nathan Martin	750 00	June 4, 1839		do 15, '45.	Izard and Martin				750 00	1,160 00	1,910 00	Insolvent.	
1	same	A. D. Burris, R. H. Hargraves and T. J. Curl	1,000 00	March 27, '39		December 3, '49.					1,000 00	1,560 00	2,560 00	Insolvent.	
1	same	H. Higgins and William Martin	1,000 00	do 30, do		June 12, '41.					1,000 00	1,560 00	2,560 00	Insolvent.	
1	same	Nathan Martin	464 50	Unknown		August 1, '45.					464 50	489 25	953 75	Insolvent.	Interest calculated from date of judgment.
1	Jordan, E. W.	W. Johnson and John Miniken	300 00	November 6, 1842							300 00	331 60	631 60	Insolvent.	
1	same	Robert Bates and Joshua Lee	380 00	June 3, '42.				753 00							In full. Paid in land.
1	Johnson, Jona.	J. S. Walton and H. Holdaway	40 00	do 14, do							40 00	52 13	92 13	Debt lost.	
1	James, Robert	John Cook and Milton Sanders	75 00	July 1, 1844							75 00	85 50	160 50	Debt lost.	
1	Jeffrey, James	Samuel Caruthers, jr., and Samuel Caruthers, sr.	113 83	do 1, 1845			All the parties				113 83	126 32	240 15	Doubtful.	
1	Johnson, Samuel	Peyton Keesee and Mitchell Yochum	242 00	do 1, 1844			Johnson, Watson and Foster	154 00							Balance assumed by G. H. Shaw, and new note for \$300.
1	John, William	James Newland and B. F. Payne	256 00	November 3, '44.			Davis and Black				256 00	284 82	540 82	Doubtful.	
1	Johnson, John L.	W. Adair, J. S. Cochran D. & J. Slaven and J. Bridges	800 00	December 27, '38.		June 4, '39.					800 00	1,216 00	2,016 00	Debt lost.	
1	John, Warren	B. Watson and William Foster	552 00	March 7, 1843.		August 19, '45.					552 00	635 22	1,187 22	Insolvent.	
1	Kavenagh, A. L.	Charles C. Davis and Thomas Black	446 00	Nov'r 11, '40		December 22, '41.					446 00	638 21	1,084 21	Insolvent.	
1	Karr, William B.	John Plumlee and William Hightower	34 37	July 1, '46				37 11							In full.
1	Lee, Joshua	Robert Bates and M. W. Reinhart	150 00	Nov'r 8, '42.				291 00							In full. Paid in land by R. Bates.
1	same	James P. Carter, William Johnson and E. W. Jordan	1,253 00	January 1, 1842.				313 44			1,056 50	1,308 10	2,364 60	Debt lost.	
1	same	F. S. Morrison and Abraham Allen	1,212 50	July 1, '44.				1,212 50							In full. Paid in land.
1	Lawrence, John	T. S. Palmer and W. Sharp	270 00	October 25, 1842.							270 00	344 21	614 21	Debt lost.	
1	Lowe, David W.	Henry R. Hynson and W. S. Hynson	500 00	May 2, 1842.				766 00							In full.
1	same	Robert Williams	300 00	January 22, '42.				488 00							In full.
1	same	W. Moore and H. R. Hynson	1,200 00	March 4, 1842.				1,356 00							In full.
1	same	H. R. Hynson and A. W. Lyon	900 00	July 9, '42.				1,363 00							In full.
1	same	John Brown and W. Moore	900 00	December 20, '42.				1,406 00							In full.
1	same	W. H. Hunt and Robert Williams	650 00	October 1, '44.				871 00							In full.
1	John, L.	W. R. Lafferty and Silas Cornwall	75 00	July 1, '44.			Laughbridge				75 00	85 50	160 50	Debt lost.	
1	John, A. R.	W. L. McGuire and G. H. Shaw	51 30	same							51 30	58 47	109 77	Debt lost.	
1	Nicholas	Isaac Grooms and Henry Neill	120 00	August 10, '44.			Moser, Moser and Hynson	55 80	116 66						In full.
1	Laughbridge, James	Miles Williams and S. Williams	422 00	July 1, '45		March 10, 1850.		700 00							In full.
1	John, A. W.	Samuel Norris and E. W. McGuire	1,104 17	September 1, '45.				617 94	837 82						In full.
1	Feer, Barnett	Samuel Moser and W. S. Hynson	120 00	February 26, '42.		December 21, '42.					120 00	159 20	279 20	Debt lost.	
1	Triss, T. B.	W. P. Morriss, J. W. Childress, J. J. Waddle and A. Robinson	2,000 00	January 10, '42.							2,000 00	2,662 20	4,662 20	Doubtful.	
1	Moss, William	Mortgage on real estate	7,466 00	December, '42.							7,466 00	9,556 48	17,022 48	Doubtful.	
1	Gar, Peter	John Moser and Marady Bowen	146 00	August 1, 1842							146 00	204 99	350 99	Insolvent.	
1	McGuire, E. R.	W. L. McGuire and Thomas Hughes	210 00	February 9, 1843.				210 00							In full. Paid in land.
1	same	same	168 00	April 29, 1843.				168 00							In full. do
1	same	same and A. W. Lyon	1,464 00	January 7, '43				1,464 00							In full. do
1	same	C. F. M. Noland and Joseph H. Egner	700 00	September 8, '42.				700 00							In full. do
1	same	James Pope and M. W. Reinhart	290 00	September 15, 1842				290 00							In full. do
1	Meacham, J. W.	C. B. Meacham and M. Bowman	300 00	March 20, '43.							300 00	372 66	672 66	Doubtful.	
1	Moss, John D.	W. B. Temple and Miles Williams	160 00	June 1, 1843							160 00	196 26	356 26	Doubtful.	
1	Moore, Levi	John Moore and John C. Alfred	373 00	February 13, '43.			James B. Rickman				373 00	471 46	844 46	Doubtful.	This note may be paid; it cannot be found.
1	Magness, William	Jesse Terry and H. Brown	384 00	February 14, '43.			William H. Dickinson				384 00	379 36	763 36	Doubtful.	
1	McElph, Asa	W. Moore and John Ruddle	4,733 00	February 19, '43.							4,733 00	5,969 92	10,702 92	Doubtful.	
1	McElph, John S.	A. Rickman and J. R. Rickman	342 00	November 9, '42.		August 14, 1845.					342 00	434 72	776 72	Insolvent.	
1	McElph, Ulysses	W. H. Dickinson and T. Dickinson	450 00	December 25, '42.		February 7, '46.					450 00	567 00	1,017 00	Insolvent.	
1	McElph, Samuel	Barnett Moser and John Moser	76 00	February 4, '43							76 00	91 24	167 24	Debt lost.	
1	McElph, Edward	Samuel Denton and P. Sullivan	76 00	May 2, 1843							76 00	93 10	169 10	Debt lost.	
1	McElph, Samuel B.	Richard Hendricks and William Meradith	80 00	March 14, 1843							80 00	99 46	179 46	Debt lost.	
1	McElph, J. A.	C. B. Meacham and W. L. McGuire	90 00	March 12, 1842.							90 00	119 16	209 16	Debt lost.	
1	McElph, Daniel	James Robinson and Alvin McDonald	131 00	June 21, '43.							131 00	160 09	291 09	Doubtful.	
1	McGuire, W. L.	L. B. Day and Joseph H. Egner	276 00	August 29, '43.											McGuire paid \$1,000 in land on these notes, and the balance he gave six notes for see appendix. In full.
1	same	E. R. McGuire and Thomas Hughes	6,430 30	July 1, '44.				1,000 00							
1	McElph, C. S.	A. P. Sherrill and C. H. Pelham	148 00	same							148 00	168 62	316 62	Debt lost.	
1	same	John Huley and E. A. Robinson	163 00	same							163 00	172 56	335 56	Debt lost.	
1	McElph, D. G. M.	William L. McGuire and John N. Arnold	152 00	same				279 90							In full.
1	McElph, Alvin	John Robinson and William Robinson	220 00	same							220 00	250 80	470 80	Doubtful.	
1	McElph, Hiram	James F. Moore and Arthur Dillingham	282 00	July 25, 1841				500 13							In full.

C--Continued.

No. of Note.	PRINCIPAL.	SECURITIES.	Amount of note.	Note when due.	Where judgment obtained, or residence of debtors.	Date of judgment.	Names of persons against whom judgment was rendered.	Credits up to 31st December, 1850.	Credits from 1st January, 1851, to 1st September, 1854.	Credits from 1st September, 1854, to 1st October, 1858.	Amount of principal due 1st October, 1858.	Am't of interest due 1st October, 1858.	Total amount of principal and interest due 1st October, 1858.	Supposed condition of Debtors and their securities.	REMARKS.
241	Mimkin, John.	B. Allen and Peter Engles, sr.	738 00	December 1, 1844.				1,063 80							In full.
242	same	Andrew Caldwell and William Johnson.	1,030 00	do 2, do				1,890 50							In full.
243	Moreland, William.	William M. Wolf and R. C. Hutchinson.	190 00	July 1, 1845.							190 00	201 40	391 40	Solvent.	
244	Montgomery, James.	Thomas D. Wood, W. Talbot and F. Talbot.	233 63	same				264 00							In full.
245	Marr, Thomas O.	J. Mayland and John W. Marr.	2,515 00	July 1, 1844.											Paid in land.
246	Maxfield, Uriah.	Robert Williams and Septimus Williams.	310 50	September 1, 1845.				374 50							In full.
247	McPherson, M. W.	G. B. Myrick, R. H. Hargraves, W. P. Martin and B. Bailey.	2,500 00	do 23, 1840.											This debt of McPherson's is said to have been settled in lands, but we have not been able to find how, or when it was so settled.
248	Magness, Robert B.	G. H. Chote and E. L. Compton.	96 00	December 22, 1840.							96 00	136 22	232 22	Debt lost.	
249	Mitchie, William.	T. H. Mitchell and N. H. Izard.	1,000 00	do 8, 1838.		June 6, '39.	Mitchie, Mitchie and Izard.				1,000 00	1,556 00	2,556 00	Insolvent.	
250	Murphee, Nimrod.	G. Sandford, W. Waldrum and J. Lester.	750 00	January 8, '40.		December 21, '42.	Murphee, Standford, Waldrum and Lester.				750 00	1,123 32	1,873 32	Insolvent.	
251	same	W. Webb and L. Boswell.	375 00	do 11, '40.		do 13, '41.	Murphee, Webb and Boswell.				375 00	561 66	936 66	Insolvent.	
252	same	Henry Wolf and Richard H. Hally.	600 00	do 23, '40.		do 12, '42.	Murphee and Holt.				600 00	960 50	1,560 50	Insolvent.	
253	same	same	1,125 00	April 25, 1840.		August 10, '44.	same				1,125 00	1,658 75	2,783 75	Insolvent.	
254	Meacham, James A.	James E. Pelham and A. P. Sherrill.	120 00	June, 30 1841.		December 17, '42.	All the parties.		550 00		120 00	165 60	285 60	Doubtful.	
255	same	Andrew Allen and C. B. Meacham.	190 00	January 30, '42.		same	same				190 00	253 33	443 33	Doubtful.	
256	same	C. S. McKinney	200 00	October 30, 1841.		same	same				200 00	270 66	470 66	Doubtful.	
257	Noland, C. F. M.	T. T. Tunstall and William F. Denton.	2,944 00	December 3, 1842.		same	same				2,944 00	3,722 52	6,666 52	Debt lost.	
258	same	John Ringgold and Joseph H. Egner.	1,100 00	July 1, 1844.							1,100 00	1,254 00	2,354 00	Debt lost.	
259	Newland, James.	Thomas O. Marr and Casper Schmich.	1,128 00	same							1,128 00	735 92	1,863 92	Doubtful.	
260	Neil, Henry.	William Engles and Daniel J. Chapman.	800 00	same											In full—assumed by W. E. Bevens.
261	Norwood, R. V.	Alexander Robinson and James Robinson.	532 78	July 1, 1846.				715 36							In full.
262	Norris, Samuel.	J. H. Brearly and R. and S. Davidson.	1,030 00	October 17, 1846.				329 10	1,116 67						In full.
263	Orr, Samuel B.	E. J. Baker and J. Goodman.	250 00	May 1, 1843.							256 00	314 02	570 02	Doubtful.	
264	same	R. F. King and George W. Wolf.	298 00	February 1, 1843.							298 00	373 48	671 48	Doubtful.	These two notes good if judgment was in their favor.
265	O'Flynn, Peter.	E. C. Fulcher and E. H. Dunbare.	78 00	April 9, 1842.							78 00	103 82	181 82	Debt lost.	
266	Orr, David.	Thomas Martin and Henry H. Snider.	30 00	July 1, 1846.				84 80							In full.
267	Ogden, Jacob.	Henry Ogden and W. Bean.	138 85	do 1, 1847.				164 04							In full.
268	Pentecost, Joseph.	William Byers and A. R. Porter.	706 00	September 21, '42.				706 00							In full.
269	same	John Ringgold and M. W. Reinhart.	677 60	August 17, 1842.				677 00							These notes were secured by mortgage on Batesville Eagle press.
270	same	William S. Hynson and Joshua Lee.	169 00	February 2, 1842.							169 00	216 32	385 32	Debt lost.	
271	Palmer, Thomas S.	John Barnett and J. Lawrence.	224 00	November 12, do					183 00		224 00	85 82	309 82	Doubtful.	
272	same	same	267 00	August 5, 1842.							267 00	255 42	522 42	Doubtful.	
273	Pope, James.	William Byers, M. W. Baltimore and S. B. Wycough.	438 00	March 9, '43.							438 00	606 25	1,044 25	Debt lost.	
274	same	Robert Bates and A. R. Porter.	1,007 00	July 1, 1844.							1,007 00	1,147 98	2,154 98	Debt lost.	
275	Porter, Andrew R.	Wm. F. Denton and M. W. Reinhart.	225 00	August 4, 1843.		Unknown	In probate court vs. Porter's estate.				225 00	273 00	498 00	Insolvent.	
276	same	J. Kettle	100 00	November 30, 1842.		Unknown	same same				100 00	126 66	226 66	Insolvent.	Porter, dead, claim classed No. 5.
277	same	Joseph Pentecost and James H. Patterson.	32 00	August 27, 1846.		Unknown	same same				32 00	79 26	111 26	Insolvent.	same same
278	same	Robert Bates and Silas C. Walker.	160 00	July 8, 1846.							160 00	154 43	314 43	Doubtful.	In 1850, suit vs. Bates, so says Ross.
279	Parks, L. I.	Phillip Crise and E. D. White.	65 00	do 8, '43.							65 00	79 43	144 43	Debt lost.	
280	Patterson, James H.	G. H. Shaw and S. B. Wycough.	112 00	do 1, '44.					170 00						In full.
281	same	William Byers and A. W. Lyon.	105 00	do 1, '46.				129 00							In full.
282	Perkins, John A.	W. Johnson and R. H. Hotchkiss.	47 00	do 1, '44.				59 00							In full.
283	Peel, Samuel W.	J. Ringgold and W. L. McGuire.	127 00	do 1, '45.					193 46						In full.
284	Pelham, Charles H.	W. L. McGuire, J. E. Pelham and Thmas S. Carter.	4,000 00	same				750 00							New note given for these notes, due A. 1850, for \$6,259 50.
285	same	Jas. E. Pelham and Thomas S. Carter.	1,000 00	October 1, '45.											Compromised as in full.
286	Pelham, James E.	G. H. Pelham, H. Neill and Benjamin Watson.	2,763 00	do 21, do				1,345 48			2,413 01	1,562 98	3,975 99		In full.
287	Penter, W.	Joseph Penter and Redman Penter.	60 00	July 1, '46.				65 00							In full.
288	Pemester, Elou.	W. L. McGuire, A. W. Lyon and D. C. Montgomery.	873 20	do 1, '44.				1,206 06							In full.
289	Perry, Rebecca.	William S. Hynson and Joseph Pentecost.	80 00	May 3, 1843.							80 00	105 03	185 03	Debt lost.	
290	Pyburn, William.	B. M. Simpson.	400 00	December 13, '38.				30 00			400 00	606 50	1,006 50	Insolvent.	
291	Petty, Theodore.	Thomas J. Carl and A. D. Burris.	200 00	March 3, '39.		June 4, '39.	Pyburn				200 00	313 33	513 33	Insolvent.	
292	Pullen, John W.	Samuel H. Davis and John H. Lenox.	746 66	December 26, '40.		do 3, '40.	Petty, Carl and Burris.				746 66	1,064 25	1,810 91	Insolvent.	
293	Peel, John W.	James E. Pelham and C. H. Pelham.	257 00	January 22, '42.		December 7, '41.	Pullen, Davis and Lenox.				257 00	332 16	589 16	Doubtful.	
294	same	same	323 00	February 11, '41.		August 20, '44.	Peel, Pelham and Pelham.				323 00	455 05	778 05	Doubtful.	
295	same	same and A. G. McFarland.	406 00	same		August 20, '45.	Peel and Pelham.				406 00	572 30	978 30	Debt lost.	
296	Reinhart, M. W.	John Ruddle and James Pope.	697 00	July 12, '43.							697 00	843 77	1,540 77	Doubtful.	
297	same	W. L. McGuire and Thomas Hughes.	260 00	do 5, '43.							260 00	316 89	576 89	Doubtful.	
298	same	Andrew Caldwell and Joseph Pentecost.	451 00	do 17, '43.							451 00	543 77	994 77	Doubtful.	
299	same	A. R. Porter and John Minikin.	250 00	do 7, '43.							250 00	304 57	554 57	Debt lost.	
300	same	Robert Bates and Wm. S. Hynson.	300 00	March 1, 1843.							300 00	374 00	674 00	Debt lost.	
301	Roberts, Brown C.	J. Moreland and P. W. Goodall.	436 00	June 15, '43.							436 00	568 08	1,004 08	Debt lost.	
302	same	T. Goodall	162 00	March 10, '43.							162 00	201 60	363 60	Debt lost.	
303	Ruddle, John.	Wm. Byers, B. C. Ruddle and E. Summers.	2,280 00	September 7, '42.							2,280 50	2,930 04	5,210 04	Debt lost.	
304	same	same S. B. Wycough and W. L. McGuire.	500 00	January 29, '43.							500 00	626 66	1,126 66	Doubtful.	
305	same	same and Jas. H. Patterson.	143 00	July 1, '45.				163 00							In full.
306	Roddy, John.	George J. Hatch and T. A. Roddy.	273 00	do 23, '43.						600 00					In full.
307	Robinson, John.	Alvin McDonald and J. W. Waddle.	245 00	do 1, '46.							44 51	23 62	68 13	Doubtful.	
308	Robinson, E. A.	John Garnett and H. C. Dye.	84 00	June 1, '46.				40 74		303 22	70 00	45 13	115 13	Solvent.	
309	Ruddle, Daniel C.	Andrew Caldwell and A. R. Graham.	80 00	July 1, '44.							80 00	89 60	169 60	Doubtful.	
310	Rutherford, T. M. G.	J. H. Rutherford, J. Rutherford and J. Buchanan.	1,424 33	June 3, '40.		December 10, '40.	All the parties.				1,424 33	2,104 30	3,528 63	Insolvent.	
311	Rutherford, W. H.	Thomas N. G. Rutherford and T. H. Flippin.	2,250 00	May 15, 1840.		same	same				2,250 00	3,307 50	5,557 50	Insolvent.	
312	Roddy, Elias B.	John Roddy and F. C. Fulcher.	730 00	July 19, '42.		December 17, '42.	same	20 00			730 00	914 40	1,644 40	Insolvent.	
313	same	same	233 00	November 28, '41.		same	same				233 00	313 77	546 77	Insolvent.	
314	Seamans, William.	Samuel R. Hinton and W. S. Hynson.	273 00	April 20, '43.							273 00	337 30	610 30	Insolvent.	
315	Smith, J. T.	Isaac Folsom and D. W. Lowe.	108 00	July 2, '42.		August 3, '47.	Seaman and Hinton.	180 00							In full—paid in lands.
316	same	same	2,437 00	September 14, '42.				2,437 00							same
317	Sherrill, A. P.	James E. Pelham.	300 00	February 4, '43.					146 50		300 00	229 50	529 50	Doubtful.	\$100 more said to be paid sheriff.
318	same	W. B. J. Flournoy, J. Lee and Robert Bates.	330 00	January 19, '43.					633 80						In full—paid in lands.
319	same	A. Sherrill and Andrew Caldwell.	270 00	July 1, 1844.					146 50		270 00	155 90	425 90	Doubtful.	
320	same	A. Sherrill, W. S. Hynson and E. W. Jordan.	369 00	same							369 00	420 66	789 66	Doubtful.	
321	same	C. S. McKinney and E. W. Jordan.	167 00	same							167 00	186 44	353 44	Doubtful.	
322	Smith, Henry.	Thomas J. Smith and Henry A. Engles.	206 00	January 26, '43.							206 00	253 13	459 13		
323	Summers, Ewing.	M. W. Reinhart and W. S. Hynson.	1,207 00	June 29, '42.							1,207 00	1,569 19	2,776 19	Debt lost.	(Ross and Bevens think this note was paid February, 1847.
324	Sherrill, Jacob L.	John Ruddle, H. P. Sherrill and W. S. Hynson.	327 00	August 5, '42.							327 00	750 10	1,077 10	Doubtful.	
325	Simpson, Bird M.	J. L. Johnson, H. D. and J. Slavens, W. Hix et al.	800 00	December 27, '38.		June 4, '39.	Slavens, Johnson, Hix and Reynolds.				800 00	1,264 00	2,064 00	Debt lost.	
326	Sherrill, Jacob L.	A. P. Sherrill and John Ruddle.	52 00	July 12, '42.							52 00	67 47	119 47	Debt lost.	

C-Continued.

PRINCIPAL.	SECURITIES.	Amount of note.	Note when due.	Where judgment obtained, or residence of debtors.	Date of judgment.	Names of parties against whom judgment was rendered.	Credits up to 31st December, 1850.	Credits from 1st January, 1851, to 1st September, 1854.	Credits from 1st September, 1854, to 1st October, 1858.	Amount of principal due 1st October, 1858.	Interest due to 1st October, 1858.	Total amount of principal and interest due 1st October, 1858.	Supposed condition of debtors and their securities.	REMARKS.
Isaac Folsom and D. W. Lowe.	Isaac Folsom and D. W. Lowe.	100 00	May 28, 1842.							100 00	130 60	230 60	Debt lost.	
Joseph and Jesse Spikes.	William Spikes and Jesse Spikes.	107 71	July 1, 1844.		May 10, 1850.	Joseph and Jesse Spikes.	30 00			77 00	88 29	165 29	Insolvent.	
Samuel H.	W. Woodrome, E. W. Woodrome and John Woodrome.	202 55	same							202 55	230 55	433 10	Doubtful.	
James F.	Joseph Smalley and Harkin Hulsey.	261 00	same				151 45							P. P. Burton gave new note for balance
William.	Amuel R. Hynton and Ulysses Merchant.	297 05	same							207 05	225 98	433 03	Doubtful.	
William.	James Steen and John C. Pugh.	169 35	Sept. 28, 1841.							369 35	413 08	782 43	Debt lost.	
same	same	32 00	March 18, 1842.							32 00	42 31	74 31	Debt lost.	
J. H. T. Webb and Jeremiah Webb.	J. H. T. Webb and Jeremiah Webb.	888 00	July 1, 1844.							888 00	1,012 32	1,900 32	Insolvent.	
Alanson P. Sherrill and S. B. Wycough.	Alanson P. Sherrill and S. B. Wycough.	444 00	Aug. 13, 1844.							444 00	501 73	945 73	Doubtful.	
James Bagley and Henry Neill.	James Bagley and Henry Neill.	160 00	Sept. 7, 1844.							160 00	180 00	340 00	Debt lost.	
P. F. Adams and E. Adams.	P. F. Adams and E. Adams.	256 00	October 1, 1844.				349 00						In full.	
S. H. Tucker and William Wright.	S. H. Tucker and William Wright.	3,516 13	March 8, 1847.					75 00					In full.	This debt was decided by arbitrators, and the sum of \$75 found due the bank.
H. W. Hunt and E. T. Burr.	H. W. Hunt and E. T. Burr.	65 00	June 25, 1846.				80 40						In full.	
Edwin T. Burr.	Edwin T. Burr.	48 50	Sept. 19, 1847.					70 33					In full.	
Thomas Culp and Samuel J. Mason.	Thomas Culp and Samuel J. Mason.	330 00	July 7, 1846.					439 91					In full.	
W. H. Zollieckoff and W. S. Hynson.	W. H. Zollieckoff and W. S. Hynson.	863 59	Nov. 1, 1847.		Sept. 10, 1849.	All the parties.		1,212 49					In full.	
W. Dobson, A. D. Burris, T. J. Curl and B. M. Burris.	W. Dobson, A. D. Burris, T. J. Curl and B. M. Burris.	1,500 00	June 3, 1840.		Unknown.	Bank.				1,500 00	2,200 00	3,700 00	Debt lost.	
Joseph Drennen and H. K. Hotchkiss.	Joseph Drennen and H. K. Hotchkiss.	85 00	August 5, 1842.							85 00	121 45	206 45	Debt lost.	
James Slavens, John L. Cochran and John L. Johnson.	James Slavens, John L. Cochran and John L. Johnson.	150 00	Dec. 17, 1838.		June 4, 1839.	H. & J. Slavens, Carter and Johnso				150 00	237 43	387 43	Debt lost.	
Joshua K. James and Jesse Miller.	Joshua K. James and Jesse Miller.	300 00	February 15, 1839.		do 5, 1839.	Stubble, James and Miller.				300 00	495 00	795 00	Debt lost.	
W. C. Dobson and A. D. Burris.	W. C. Dobson and A. D. Burris.	375 00	June 3, 1840.		December 8, 1840.	Strong, Dobson and Burris.				375 00	550 00	925 00	Debt lost.	
B. M. Dorris and Thomas J. Curl.	B. M. Dorris and Thomas J. Curl.	956 00	Aug. 11, 1840.		June 14, 1842.	Strong.				956 00	1,383 01	2,339 01	Debt lost.	
L. L. Parks and Philip Crise.	L. L. Parks and Philip Crise.	324 00	Dec. 28, 1841.		Dec. 17, 1842.	Seaman, Parks and Crise.				324 00	434 16	758 16	Insolvent.	
A. G. McFarland and Stith Tucker.	A. G. McFarland and Stith Tucker.	286 00	Oct. 27, 1841.							286 00	384 14	670 14	Insolvent.	
W. B. J. Flournoy and W. M. Calhoun.	W. B. J. Flournoy and W. M. Calhoun.	210 00	July 22, 1841.							210 00	288 75	498 75	Debt lost.	
Moses H. Blue and Robert James.	Moses H. Blue and Robert James.	270 00	June 11, 1842.		Nov. 23, 1847.	Robert James.				270 00	341 30	611 30	Insolvent.	
W. W. Tunstall and William F. Denton.	W. W. Tunstall and William F. Denton.	900 00	Aug. 8, 1842.							900 00	1,162 45	2,062 45	Doubtful.	
same	same	2,570 00	Dec. 29, 1842.							2,570 00	3,238 20	5,808 20	Doubtful.	
James E. Pelham and W. B. J. Flournoy.	James E. Pelham and W. B. J. Flournoy.	296 00	May 11, 1841.							296 00	411 75	707 75	Doubtful.	
S. B. Wycough and W. P. Morris.	S. B. Wycough and W. P. Morris.	90 00	July 5, 1846.							90 00	88 60	178 60	Doubtful.	
William Magness and John Arnold.	William Magness and John Arnold.	240 73	May 26, 1845.							240 73	256 86	497 59	Doubtful.	
Joseph H. Engles and William L. McGuire.	Joseph H. Engles and William L. McGuire.	49 56	July 1, 1844.							49 56	56 48	106 04	Debt lost.	
Thomas D. Wood and Robert Lowth.	Thomas D. Wood and Robert Lowth.	293 10	same		April, 1849.	Bank.				293 10	334 13	627 23	Debt lost.	
Bright Truman and John R. Truman.	Bright Truman and John R. Truman.	435 25	same							435 25	457 48	892 73	Debt lost.	
George Elder and Fred C. Fulcher.	George Elder and Fred C. Fulcher.	534 05	Aug. 23, 1847.							534 05	474 41	1,008 46	Doubtful.	
John C. Alford and William L. McGuire.	John C. Alford and William L. McGuire.	436 00	Aug. 1, 1844.							436 00	600 66	1,036 66	Doubtful.	
Thomas S. Carter and Thomas Wright.	Thomas S. Carter and Thomas Wright.	90 00	October 1, 1844.							90 00	100 80	190 80	Doubtful.	
John Titsworth and W. S. Sullivan.	John Titsworth and W. S. Sullivan.	183 00	July 1, 1844.							183 00	204 96	387 96	Insolvent.	
Aden Sloan and Prior Garrett.	Aden Sloan and Prior Garrett.	125 78	July 1, 1845.											Assumed by Bevins and new note given
Davis K. Tutt and Thomas D. Wood.	Davis K. Tutt and Thomas D. Wood.	223 00	July 1, 1844.					200 00		138 00	74 52	212 52	Doubtful.	
John Ringgold and J. H. Egner.	John Ringgold and J. H. Egner.	69 90	July 1, 1845.							69 90	74 52	144 42	Doubtful.	Assumed by Burr and renewed by Bevins.
Thomas T. Tunstall and William F. Denton.	Thomas T. Tunstall and William F. Denton.	210 07	same							210 07	222 67	432 74	Doubtful.	
George Thompson and Andrew Allen.	George Thompson and Andrew Allen.	69 00	Feb. 10, 1846.				75 72						In full.	
William Strong and Thomas J. Curl.	William Strong and Thomas J. Curl.	500 00	Dec. 7, 1839.		August 10, 1841.	Thompson, Strong and Curl.				500 00	752 55	1,252 55	Debt lost.	
Nimrod Murphee and R. H. Holly.	Nimrod Murphee and R. H. Holly.	235 00	April 18, 1840.		Dec. 17, 1841.	Thompson and Murphee.				235 00	346 80	581 80	Insolvent.	
Jonathan Johnson and J. F. Elms.	Jonathan Johnson and J. F. Elms.	125 00	January 16, 1842.		do 20, 1842.	Tucker, Johnston and Elms.				125 00	203 18	328 18	Insolvent.	
John P. Brown and Rufus Stone.	John P. Brown and Rufus Stone.	190 00	January 21, 1842.		same	Terry and Stone.				190 00	254 17	444 17	Insolvent.	Terry is a bankrupt.
Frederick C. Fulcher and C. H. Moore.	Frederick C. Fulcher and C. H. Moore.	237 00	Feb. 5, 1849.		August 13, 1844.	Tucker & Moore.				237 00	183 01	420 01	Insolvent.	Terry is a bankrupt, and Fulcher is dead.
William H. Dickinson and T. Underwood.	William H. Dickinson and T. Underwood.	375 00	April 25, 1840.		Dec. 14, 1841.	Underwood, Dickinson and Underwood.				375 00	552 91	927 91	Insolvent.	
L. T. Waugh and J. L. Waugh.	L. T. Waugh and J. L. Waugh.	342 00	March 1, 1843.		August 20, 1845.	Waugh, Waugh and Waugh.		566 30					In full.	
B. G. Wilson and Warren Johnston.	B. G. Wilson and Warren Johnston.	313 00	Dec. 19, 1841.		Dec. 20, 1842.	Wilson, Wilson and Johnson.				313 00	426 04	744 04	Insolvent.	
Day, Williams & Co.	Day, Williams & Co.	88 70	Sept. 1, 1840.							88 00	127 30	215 30	Debt lost.	
Richard Wright, M. Tucker and M. Adams.	Richard Wright, M. Tucker and M. Adams.	570 00	April 26, 1841.		Unknown.	Bank.				570 00	775 20	1,345 20	Debt lost.	Wright dead, securities pleaded non est factum.
William Robinson and Samuel Robinson.	William Robinson and Samuel Robinson.	820 00	April 23, 1842.			Bank.				820 00	1,078 24	1,898 24	Debt lost.	
John Ruddle and Silas Cornwall.	John Ruddle and Silas Cornwall.	112 00	July 1, 1844.							102 00	116 28	218 28	Doubtful.	
E. P. Waggoner and Henry Holdaway.	E. P. Waggoner and Henry Holdaway.	85 50	same							85 50	97 49	182 99	Debt lost.	
William J. Wood and John Wood.	William J. Wood and John Wood.	753 69	July 1, 1844.		April, 1849.	Bank.				753 60	859 10	1,612 70	Debt lost.	
James Jeffers and Gabriel Frost.	James Jeffers and Gabriel Frost.	332 51	same		Unknown.	Bank.				332 50	379 05	712 55	Debt lost.	
Gabriel Davis and Hiram Glass.	Gabriel Davis and Hiram Glass.	208 32	same							208 32	237 12	445 44	Doubtful.	
E. S. Woodrome and William Woodrome.	E. S. Woodrome and William Woodrome.	630 75	same							630 75	718 05	1,348 80	Doubtful.	
John Woodrome and E. S. Woodrome.	John Woodrome and E. S. Woodrome.	129 00	same							129 00	147 66	276 66	Doubtful.	
E. S. Woodrome, E. B. Woodrome and E. S. Kirkpatrick.	E. S. Woodrome, E. B. Woodrome and E. S. Kirkpatrick.	130 00	same							130 00	148 20	278 20	Doubtful.	
Hyman Wren and John Hightower.	Hyman Wren and John Hightower.	85 00	same							85 00	96 90	181 90	Debt lost.	
Thomas D. Wood and George W. Wood.	Thomas D. Wood and George W. Wood.	429 00	same		April, 1849.	Bank.				429 00	489 06	918 06	Debt lost.	
John Wells, sr. and George W. Wells.	John Wells, sr. and George W. Wells.	195 00	Oct. 1, 1844.				254 00						In full.	
Thomas S. Carter and Richard Couns.	Thomas S. Carter and Richard Couns.	308 75	Nov. 1, 1844.					100 00		308 75	251 97	560 72	Insolvent.	This note is believed to be paid, but cannot tell from the books of the bank.
Thomas O. Marr and J. W. Marr.	Thomas O. Marr and J. W. Marr.	1,002 00	July 1, 1845.				1,448 54						In full—paid in land.	
M. W. Wolf and A. Tinnen.	M. W. Wolf and A. Tinnen.	170 00	January 1, 1845.							170 00	187 00	357 00	Solvent.	
John Foster and John Ireland.	John Foster and John Ireland.	28 70	April 22, 1846.							28 70	28 50	57 20	Doubtful.	
James Wren and William Hightower.	James Wren and William Hightower.	30 00	May 6, 1846.							30 00	29 77	59 77	Doubtful.	
James W. Bond and Crawford Walker.	James W. Bond and Crawford Walker.	430 00	Aug. 18, 1837.				143 11			335 40	223 86	559 26	Solvent.	
Robert Williams and Septimus Williams.	Robert Williams and Septimus Williams.	165 00	July 1, 1846.				72 50	164 28					In full.	
Jeremiah Webb and Henry Stevens.	Jeremiah Webb and Henry Stevens.	315 00	October 1, 1846.							315 00	302 40	617 40	Insolvent.	
Prior Garnett, I. L. Ramsey and H. K. Hotchkiss.	Prior Garnett, I. L. Ramsey and H. K. Hotchkiss.	258 40	July 1, 1844.		March, 1850.	Bank.				258 40	322 62	581 02	Insolvent.	
Isaac L. Ramsey and William S. Hynson.	Isaac L. Ramsey and William S. Hynson.	58 90	same							58 90	64 96	123 86	Debt lost.	
R. B. Vest and James Robinson.	R. B. Vest and James Robinson.	85 00	October 18, 1842.							85 00	106 40	191 40	Debt lost.	
Daniel McFarland and David C. Waters.	Daniel McFarland and David C. Waters.	90 00	August 11, 1842.							90 00	116 20	206 20	Debt lost.	
M. Wolf and A. Tinnen.	M. Wolf and A. Tinnen.	95 00	Nov. 11, 1842.				36 90	76 00					In full—compromised as to interest.	

C--Concluded.

No. of note.	PRINCIPAL.	SECURITIES.	Amount of note.	Note when due.	Where judgment obtained or residence of debtors.	Date of judgment.	Names of parties against whom judgment was rendered.	Credits up to 31st December, 1850.	Credits from 1st January, 1851, to 1st September, 1854.	Credits from 1st September, 1854, to 1st October, 1858.	Am't of principal due 1st Oct'r, 1858.	Interest due to 1st October, 1858.	Total amount of principal and interest due 1st October, 1858.	Supposed condition of debtors and their securities.	REMARKS.
495	Wolf, William M.	George W. Wolf and A. Timen.	500 00	May 14, 1843.				516 48	150 00						G. H. Morton ass'md bal., \$500, given to
496	same	same	1,000 00	February 18, 1843				1,323 93							In full.
498	Williams, Leroy.	George Counts and Hiram Moss	427 00	April 23, 1842.							427 00	561 48	988 48	Insolvent.	
499	same	same	222 00	December 6, '43							222 00	263 07	485 07	Insolvent.	
497	Williams, William.	J. Crawford, W. B. Burris, and Thomas J. Curl.	318 75	May 25, 1841							318 75	442 00	760 75	Debt lost.	
410	Williams, T. S.	Hansford Tutt and A. Lovell.	377 00	October 12, 1842.							377 00	465 10	842 10	Insolvent.	
411	Watson, Benjamin	William Johnson and Joseph Pentecost.	171 00	May 5, 1843							171 00	210 71	381 71	Insolvent.	
412	same	same	110 00	February 1, 1843							110 00	132 00	242 00	Debt lost.	
413	Waddle, H. M.	James Morris and H. L. Waddle.	112 50	Sept'r 18, 1839.		Dec'r 3, 1839	Waddle, Morris and Waddle				112 50	171 25	283 75	Insolvent.	
414	Young, Rufus L.	S. B. Wycough and John Delp	869 00	June 10, 1846.				493 53							W. C. Bevens as'md bal., \$542, gave n.
415	Zimmerman, C. W.	A. Simpson, S. Jones and John Arnold.	856 00	October 7, 1842.					1,209 05		290 36	139 20	429 56	Doubtful.	

APPENDIX.

No. of note.	PRINCIPAL.	SECURITIES, OR NAME OF THE PRINCIPAL WHOSE NOTE WAS ASSUMED.	Amount of note.	Note when due.	Where judgment obtained or residence of debtors.	Date of judgment.	Names of parties against whom judgment was rendered.	Credits up to 31st December, 1850.	Credits from 1st January, '51, to 1st Sept., 1854.	Credits from 1st Sept'r, 1854, to 1st October, 1858.	Amount of principal due 1st Oct'r, 1858.	Interest due to 1st October, 1858.	Total amount of principal and interest due 1st Oct., 1858.	Supposed condition of debtors and their securities.	REMARKS.
416	David West	Securities not stated	100 00	March 15, 1848.					118 66						In full.
417	John L. Williams.	Mortgage on printing press, etc.	1,500 00	Nov'r 1, 1848					600 00		1,160 00	641 86	1,801 86	Debt lost.	Mortgage foreclosed, and property sold.
418	C. D. Cook.	Securities paid this amount on official bond.	200 00	Being amount paid	Cook by Hansford		Tutt on his note, and not paid over	200 00							In full.
419	Joab Peel	John Ringgold and Peel.	100 00	Unknown					100 00						In full.
420	Green H. Shaw	Assumed for Samuel Johnson	300 00	July 1, 1848.						402 13					In full.
421	William L. McGuire	Debt compromised and six notes given for specie	500 00	April 1, 1853							500 00	220 00	720 00	Solvent.	
422	same	same	170 00	January 1, 1854.						75 00	113 27	30 43	143 70	Solvent.	
423	same	same	400 00	same	Transferred to G.		C. Watkins, and applied to Curran decree.								
424	same	same	400 00	January 1, 1855.	same										
425	same	same	400 00	January 1, 1856.	same										
426	same	same	400 00	January 1, 1857.	same										
427	John T. Truslow.	C. H. Pelham, S. B. Wycough, D. W. Lowe and J. Lec.	600 00	Unknown	Substituted for the		note of D. W. Lowe, J. Folsom and six others				600 00	576 00	1,176 00	Debt lost.	We cannot tell anything about this note, think it paid or lost.
428	E. T. Burr.	Shaw and Burton, (assumed for others)	902 00	August 1, 1848.											Assumed by W. C. Bevens, and new note.
429	C. H. Pelham	Mortgage on real estate	6,259 50	August 2, 1850						357 75	6,259 50	3,731 79	9,991 29	Debt lost.	Mortgaged property sold.
430	George H. Morton.	New note, and assumed for part Wolf debts	300 00	June 26, 1849.				300 00							In full.
								45,195 14	25,458 96	3,242 91	154,716 89	182,212 65	336,929 54		

OFFICE OF THE FINANCIAL RECEIVER OF THE BANK OF THE STATE OF ARKANSAS, }
Little Rock, Arkansas, 10th October, 1858. }

WM. M. GOUGE,
A. H. RUTHERFORD,
State Accountants under act of 15th January, 1857.

BATESVILLE BRANCH BANK.

The following remarks are condensed from the reports and letters of the attorneys of said branch, and also from information obtained by the financial receivers of the principal bank, and from various sources.

NOTE No. 2.—A judgment was obtained in this case after a long struggle against the defendant. He proposed recently, through Judge Bevens, to compromise the judgment with the bank, and offered to pay two hundred and fifty dollars in specie. The financial receiver accepted the terms, as the collection of the whole amount of the judgment was doubtful, and on the 30th September, 1858, the money was paid into the bank, as payment in full of the judgment.

NOTE 6.—This is an old judgment, the same having been obtained in 1839, and nothing paid on it since. It may be classed as lost. The defendants were reported in 1850 as insolvent. We have not been able to learn anything of a recent date about this debt.

NOTE 7.—In this case no suit was ever brought, and on the 1st September, 1850, the note was barred by the statute. The principal is dead, debt lost.

NOTE 8.—The collection of this debt was considered doubtful in 1850, and no information about it since.

NOTE 9.—This debt was classed by Ross in 1850, as lost. No late information about it.

NOTE 13.—Assumed by E. T. Burr, who gave a new note for the amount.

NOTE 15.—The defendants were classed as insolvent by Ross in 1850, and no information about it since.

NOTE 16.—We have no late information about the debt. The bank took a non-suit in 1848; and a new suit was instituted in 1849. The result is unknown to us. Mr. Ross classed the collection of the claim as doubtful in 1850, and as nothing has been paid in since, we presume the amount is lost. The principal is solvent.

NOTE 17.—A non-suit was taken by the bank in 1848, and a new suit instituted in 1849. This is all we have been able to ascertain about this debt. Defendants are classed as insolvent.

NOTES 19 AND 20.—These defendants were classed as insolvent in 1850. Non-suits were taken by the bank in 1848; and

new suits commenced in 1849. Nothing heard from them since.

NOTE 21.—The collection of this debt considered doubtful by Ross, in 1850. Non-suit in 1848, and a new suit commenced in 1849. Nothing more is known of this note.

NOTE 22.—The defendants classed as insolvent in 1850, and in 1852 there was collected on execution \$218 00. The balance may be put down as lost.

NOTES Nos. 23, 24, 25, AND 26.—These debts were classed in 1850 as lost. We have no information about them since.

NOTE 29.—The defendants were classed as insolvent in 1850 by Mr. Ross. No information about them since.

NOTE 30.—This note was assumed by E. T. Burr, on the 1st Oct., 1847, with others, for which he gave a new note to the bank for \$902 52. This note we shall have to refer to several times, as it paid off sundry notes in bank. It was on the same day assumed by Wm. C. Bevens, who gave a new note for it, and several others. He paid to the bank at the time in cash, \$441 69 for curtail and interest, and executed his note for \$1,300, which has since been paid in part.

NOTE 33.—The defendants on this note were classed as insolvent in 1850 by Ross. No information about them since.

NOTE 34. Paid in part, and balance assumed by B. C. West, who put in a new note for \$100. The note has been paid.

NOTE 35.—Baltimore is dead, and his estate is reported to be insolvent. This note was allowed against his estate in July, 1847.

NOTE 37.—Judgment before C. D. Cook, justice of the peace. No recent information about the debt. Classed as doubtful in 1850.

NOTE 41 —Balance assumed by Wm. C. Bevens, who gave a new for \$68 27.

NOTE 43.—This debt was regarded as doubtful, and it was compromised by the financial receiver, Ross, who received land for it, and for several other notes of the same party.

NOTE 44.—But little is known about this debt. Greer is dead. Blakemore and Hay, if living, are unknown to us.

NOTE 45.—We have not been able to learn anything about the defendants to this note. Suit was pending in 1850, and was classed as doubtful by Ross.

NOTE 46 —Nothing is known in regard to this note. We therefore class it as lost.

NOTES 47 AND 48.—All the defendants are dead, debts lost.

NOTES 51 AND 52.—These debts are good and will be paid.

NOTE 55.—The bank took a non-suit in this case, in 1848, and a new suit was commenced in 1849. The debt was

classed as doubtful in 1850 by Ross, and as nothing has been paid on it since, we class it as lost.

NOTES 56, 57, 58 AND 59.—Classed as doubtful in 1858 by Ross. We have no information about these notes since.

NOTES 60, 61 AND 62.—The bank took a non-suit on these notes in 1848, and in 1849 commenced a new suit. If the bank recovered judgments on them, they have not been reported to the principal bank. They were classed as doubtful in 1850, and now we suppose are lost.

NOTE 63.—This note was classed as insolvent in 1850.

NOTE 64.—This note was classed as debt lost, in 1850.

NOTE 65.—The defendants were classed as insolvent in 1850. Chandler is dead; and the debt has been allowed against his estate.

NOTES 66, 67 AND 68.—These notes were classed as lost, in 1850 by Ross. We have no information about them of later date.

NOTES 69, 70 AND 71.—These three notes were classed as lost, in 1850 by Ross. Mr. Bevens, the bank attorney, for several years, thinks these notes were paid before the 10th February, 1847; but nothing can be found on the books, to show it.

NOTE 72.—Cornwall is dead, and the claim has been allowed against his estate. The estate was regarded as insolvent, in 1850. No part of the amount has been paid.

NOTE 73.—The balance of this note was classed as doubtful, in 1850. Nothing is known about it since. The note was originally for \$195 70, due 1st July, 1844, and no new note was taken, when the payments were made, so the balance due on it may be lost.

NOTES 74 AND 75.—These notes were classed as doubtful, in 1850 by Ross; and we have no recent information in relation to them.

NOTE 76.—This note was classed as doubtful in 1850, by Mr. Ross.

NOTE 79.—Classed as doubtful in 1850 by Ross, and since that time, we have no information about it.

NOTES 80, 81, 82 AND 83.—These notes were all classed by Mr. Ross in 1850, as lost. We have no recent information about them.

NOTE 84.—Classed in 1850 by Ross, as doubtful.

NOTES 85, 86, AND 87.—These notes were classed by Ross in 1850 as lost. We have no recent information about them.

NOTE 89.—Judgment was obtained, before a justice of the peace, and the defendants appealed to the circuit court. No information about it of later date.

NOTE 92.—There was a mortgage executed to the bank, on certain real estate to secure the payment of this debt. The

officers of the bank at Batesville compromised the debt, and received from the defendant, one state bond of the value of \$1,246, as in full. The bank lost the balance, which amounts now to about the sum of \$877 40.

NOTE 93.—The defendants have gone to Texas; and it is understood they are all dead. Debt lost.

NOTE 94.—The principal is dead; and his estate is insolvent. The books do not show who were his securities. The debt is lost.

NOTE 95.—Cheatham and Brown are dead. Hargraves is solvent; if the statute has not run on the debt, it may be collected, or a part of it. Judgment was obtained in 1840. Ross classed the defendants as insolvent, in 1850.

NOTES 96 AND 97.—The defendants are dead, except Strong. He took the benefit of the bankrupt act in 1842. He resides in Tennessee. The debts are lost.

NOTE 99.—Mr. Ross classed the defendants as insolvent, in 1850. A non-suit was taken by the bank in 1848, and a new suit commenced in 1849. The result of this last proceeding is unknown to us.

NOTE 100.—Mr. Ross classed this debt as lost, in 1850; and we have no information about it of a later date.

NOTES 101 AND 103.—Judgments were rendered on these notes, in 1852 or '53. The balance due on them will be paid soon.

NOTES 104 AND 105.—These debts were classed by Ross, in 1850 as lost. We have been unable to learn anything about them of a later date. One of the securities took the benefit of the bankrupt act in 1842.

NOTE 106.—This debt classed as doubtful, by Mr. Ross, in 1850. In 1852, a payment of \$1,000, was made by Imboden, Black & Co. It is thought that part of this debt will be collected yet. But how much of it, we cannot say.

NOTE 107.—Mr. Ross classed the defendant as insolvent, in 1850. We have had no information about the probability of its payment since. We are inclined to think it doubtful from the lapse of time, without any payment. Mr. Lowe is dead.

NOTE 108.—This debt was classed as lost, in 1850, by Ross.

NOTE 109.—This debt was classed as doubtful, in 1850. No payment on it since, or information about it.

NOTE 110.—Dillingham is dead; the claim was allowed against the estate of Dillingham, in the probate court of Independence county. Mr. Ross classed it as solvent, in 1850. No information about it of a later date.

NOTE 111.—Classed as doubtful in 1850, by Mr. Ross.

NOTE 112.—This note was classed as doubtful in 1850; but it is good, if not barred by the statute.

- NOTE 113.—Classed as doubtful in 1850; and we have no information about it of a later date.
- NOTES 114, 115 AND 116.—These three notes were compromised twice. In the first place, the debt was about \$10,000, in Arkansas bank funds. A compromise was made and three notes taken, each for \$1,333 33, in specie, for the debt of \$10,000, in Arkansas bank funds. Afterwards, the officers of the bank at Batesville, received \$2,500 in Arkansas funds, for the three notes payable in specie. By these compromises the bank lost in specie \$2,156 00, or double that amount in bank funds.
- NOTE 117.—Denton and Ringgold are dead. The debt was classed as lost in 1850, by Mr. Ross. Judgment was obtained against the bank. Egner is solvent.
- NOTE 118.—Judgment obtained against the bank in 1845. Debt lost.
- NOTE 119.—Judgment obtained against the bank in 1845. Debt lost.
- NOTES 120 AND 121.—These notes were classed as lost in 1850.
- NOTES 122, 123 AND 124.—The defendants classed as insolvent in 1850, and no information about their ability to pay the debt since.
- NOTE 125.—Judgment obtained against Elkins in 1847. Mr. Ross classed the debt as doubtful in 1850. No payment has been made on it since.
- NOTE 126.—This note was classed as doubtful in 1850, by Mr. Ross, and no information about it since.
- NOTE 127.—This note was settled by compromise with Allen, one of the securities, who paid \$847; and \$317 of that amount was applied to his note, and the balance, \$530, was applied to the payment of note 153, due the bank by Hynson, which was also a compromise. The bank lost the balance on both notes.
- NOTE 128.—The balance due on this note was classed as insolvent in 1850, by Mr. Ross. The defendants are all dead.
- NOTE 129.—Mr. Ross thought this debt had been paid; if it has, we have been unable to find where and when it was reported to the bank.
- NOTE 130.—This debt was classed by Ross in 1850, as insolvent. Elliott is dead. We have no late information about the debt.
- NOTE 132.—The balance on this debt is doubtful. We know nothing about the solvency of the defendants.
- NOTE 133.—Fulcher is dead. The debt was classed in 1850, by Ross as doubtful. No late information about it.
- NOTE 135.—This note was classed as doubtful in 1850, by Ross. Byers is good, if judgment has been obtained against him.
- NOTE 136.—This note was classed as insolvent in 1850, by Mr. Ross.

- NOTE 137.—This note is not on the books of the bank, and its date cannot be given. It was classed as insolvent in 1850 by Ross.
- NOTE 138.—This debt was classed as doubtful in 1850 by Ross. Nothing is known about it since.
- NOTES 139 AND 140.—These notes were classed as lost, in 1850 by Ross. No late information about them.
- NOTE 142.—This debt is classed as good, but we have no late information about it.
- NOTE 143.—Classed as doubtful, in 1850 by Ross.
- NOTE 145.—This note was renewed by Jane Gill, who gave a new note for \$70 00, which has been paid. It was transferred to the principal bank.
- NOTE 148.—Greer and Neely are dead. Judgment against Frisby. Classed as insolvent, in 1850 by Ross. It is in the hands of Maj. Crutchfield, as special attorney, for the collection of insolvent claims due the bank.
- NOTE 149.—This claim was classed as doubtful, in 1850 by Ross. We have no late information about it.
- NOTE 150.—Classed as doubtful in 1850 by Ross.
- NOTE 151.—There is a very small balance due on this note. It is probable that the payment made was intended to be in full.
- NOTE 152.—Classed in 1850 by Ross, as lost.
- NOTE 153.—This debt was compromised as in full, by the payment of \$530.
- NOTE 154.—Pentecost is dead; and note classed as debt lost, in 1850 by Ross.
- NOTES 155 AND 156.—Mr. Ross classed these notes as doubtful in 1850, and there has been no payment made on them since. We have no late information about them.
- NOTES 157, 158 AND 159.—All classed in 1850, as debts lost. We have no information about the defendants since.
- NOTES 160 AND 161.—These notes were classed as lost, in 1850 by Mr. Ross. We have no late information about them.
- NOTE 162.—A non-suit was taken in this case by the bank, and a new suit was commenced afterwards. The defendants obtained judgment against the bank. The bank appealed to the supreme court. Judgment reversed and case remanded in 1852. No late information about it. Mr. Ross classed it as doubtful in 1850.
- NOTE 165.—This debt was classed as doubtful, by Ross in 1850.
- NOTE 166.—This note was assumed by E. T. Burr on the 1st October, 1847, and then by Wm. C. Bevens, who gave his note to the bank for the amount, which is included in note now due for \$1,063 26.
- NOTE 167.—This note was compromised in January, 1851, by the payment of \$866 40 as in full.

NOTE 168.—Classed by Ross in 1850, as debt lost.

NOTE 171.—This note Ross classed as doubtful in 1850.

NOTE 172.—Ross classed the defendants as insolvent, in 1850.

We have no late information about the debt.

NOTE 173.—Classed as debt lost by Ross in 1850.

NOTES 174 AND 175.—Classed as debts lost in 1850.

NOTES 176, 177, 178, 179 AND 180.—The defendants on these notes were all classed as insolvent in 1850. We have no late information about the debts.

NOTE 181.—The Hynsons took the benefit of the bankrupt act in 1842. Pentecost is dead.

NOTE 182.—The defendants classed as insolvent in 1850.

NOTES 183, 184, 185, 186 AND 187.—These defendants were all classed as insolvent in 1850. Nothing has been paid on any of these notes, and we regard the debts as lost.

NOTE 188.—This debt was discharged by Bates' security, who made a compromise with the bank in 1853, settled the debts with lands.

NOTES 189 and 190.—Classed as doubtful by Ross in 1850.

NOTE 191.—Classed as doubtful by Ross in 1850.

NOTE 192.—Balance of this debt assumed by Green H. Shaw, who gave a new note for \$300, due 1st July, 1848, No. 420, which has been paid in full.

NOTE 193.—Mr. Ross reported in 1850, that this note had never been accounted for by Mr. Cook, receiver, and was probably lost. I cannot find that he accounted for it after 1850, and class it as lost.

NOTE 194.—Classed as lost in 1850 by Ross.

NOTES 195 and 196.—The defendants classed as insolvent in 1850. No payments made on these notes.

NOTE 198.—Mr. Bates, one of the securities on the note, compromised the debt, and paid \$291 00 in land in 1853, as in full.

NOTE 199.—The balance of this debt lost.

NOTE 200.—This note was compromised, and settled in lands.

NOTE 201.—We have no information whatever about this note, and therefore class it as lost.

NOTES 202, 203, 204, 205 and 206.—These notes were compromised, and settled in lands and town lots.

NOTE 207.—This note was probably paid in lands.

NOTES 208 and 209.—Classed as debts lost in 1850.

NOTE 213.—Classed as insolvent in 1850.

NOTE 214.—Judgment was obtained against the bank. The bank brought the case into the supreme court, on writ of error. Judgment affirmed. Debt lost.

NOTE 215.—A mortgage was executed by the defendant in this case, on sundry lands and negroes, to secure the payment of this note. Mortgage foreclosed, and land and negroes

bought by the bank. The defendant, Moore, after the sale of the lands and negroes, rented the plantation, and hired the negroes from the bank. We have learned that the negroes were afterwards sold by the sheriff of Independence county, on execution founded on some claim against the bank for a trifling sum, and run off. Debt lost.

NOTE 216.—The defendants were reported as insolvent in 1850 by Mr. Ross.

NOTES 217, 218, 219, 220 and 221.—These notes were reported as insolvent in 1850, by Mr. Ross.

NOTE 222.—This note reported as doubtful in 1850.

NOTE 223.—This note may be paid. We cannot find any credit on the books. Reported doubtful in 1850.

NOTE 224.—Reported doubtful in 1850.

NOTES 225 and 226.—These notes were reported as doubtful in 1850, and we have no information about them since. We regard them as lost.

NOTES 227 and 228.—These defendants were reported as insolvent in 1850, and we are without any information concerning them of late.

NOTES 229, 230, 231 and 232.—These notes were reported by Ross in 1850, as debts lost.

NOTE 233.—This note reported as doubtful in 1850.

NOTES 234 and 235.—These notes were compromised. \$1,000 was paid in lands, and the defendant executed six other notes (see appendix) payable in specie. Four of said notes have been transferred to George C. Watkins, and applied to the payment of the Curran decree against the bank.

NOTES 236 and 237.—Reported by Ross in 1850, as debts lost.

NOTE 239.—This note is good, if judgment has been obtained on it.

NOTE 243.—This note was reported solvent in 1850. We have no late information about it.

NOTE 245.—Settled in lands on compromise.

NOTE 247.—Reported to have been paid in lands, but we have been unable to find any evidence to show it.

NOTE 248.—This note reported as lost in 1850, "or it would have been paid before this time."

NOTES 249, 250, 251, 252 and 253.—All of these notes were reported as insolvent in 1850, and we have no late information about the defendants.

NOTES 254, 255 and 256.—These notes reported as doubtful in 1850. We have no late information about the defendants.

NOTE 257.—It appears that the bank took a non-suit in this case in 1848, and a new suit was commenced in 1849. The result of it is unknown to us. No report that we can find has since been made to the bank. All the defendants are dead; the debt may be classed as lost.

NOTE 258.—The defendants are all dead. No information about the debt since new suit was commenced in 1849. The debt may be classed as lost.

NOTE 259.—The balance due on this note was classed as doubtful in 1850. It may now be put down as lost.

NOTE 260.—This debt was assumed by Wm. C. Bevens, and included the amount of this note, as well as several others, which he executed to the bank.

NOTES 263 and 264.—These notes were thought to be good in 1850, if judgment could be obtained. We have no information that judgment was obtained on them. The debts was classed as doubtful.

NOTE 265.—This note was classed as debt lost by Ross in 1850. No late information about it.

NOTES 268 and 269.—These two notes were paid by the securities with the "Batesville Eagle" press.

NOTE 270.—Classed as debt lost in 1850.

NOTE 271.—This debt was classed as doubtful in 1850, and \$183 was paid on it in 1852. No late information as to the balance due.

NOTE 272.—Reported by Mr. Ross in 1850 as doubtful.

NOTE 273.—Reported by Mr. Ross in 1850 as debt lost.

NOTE 274.—This note was lost by the statute of limitation running on it.

NOTES 275, 276 and 277.—Porter is dead. These notes were allowed against his estate in the probate court of Independence county, and stand in the 5th class. The estate may be able to pay a very small amount of them, and it may pay nothing. These notes are classed as insolvent. The securities are nearly all dead. Mr. Patterson is solvent.

NOTE 278.—Suit was pending against Robert Bates on this note in 1850. The result is not known.

NOTE 279.—Judgment in the probate court for the bank in this case, which has been *reversed*.

NOTES 284 and 285.—These notes were consolidated, and a new note executed by the defendant for \$6,259 50, due 2d day of August, 1850. A mortgage was executed on certain real estate, to secure the payment of the debt. The result of the proceedings on this note will be given in the appendix, on foreclosure of the mortgage and sale of the land.

NOTE 286.—The defendant paid \$1,205 48 on this judgment; and then compromised the balance with the bank, by the payment of \$140 00 in 1850, as in full. The balance of the debt is lost.

NOTE 289.—Reported as debt lost in 1850.

NOTE 290.—Defendants reported insolvent in 1850.

NOTE 291.—Defendants reported as insolvent in 1850.

- NOTE 292.—Defendants reported as insolvent in 1850.
- NOTE 293.—Debt reported as doubtful in 1850.
- NOTE 294.—Debt reported as doubtful in 1850.
- NOTE 295.—Debt reported as lost in 1850.
- NOTE 296.—Reinhart and Pope are dead. Suit pending against Ruddle alone in 1850. The result is not known by us.
- NOTE 297.—Reinheart is dead. Suit was pending against the securities in 1850. No late information about the debt. It was classed as doubtful in 1850.
- NOTE 298. Reinhart and Pentecost are dead. Suit was pending against Caldwell as security in 1850. No late information about the debt. Classed as doubtful in 1850.
- NOTES 299 and 300.—Reinhart and Porter are dead. We have no late information about the solvency of their estates. Classed in 1850 as lost.
- NOTES 301 and 302.—Roberts left the state ten or fifteen years ago, and went to Texas. Nothing is known of the securities. Debt lost.
- NOTE 303.—This debt was reported by Mr. Ross in 1850 as lost.
- NOTE 304.—Reported by Mr. Ross in 1850 as doubtful. No late information about it. The defendants are solvent.
- NOTE 308.—Reported solvent in 1850, and if judgment was obtained, it may be collected.
- NOTE 309.—This note was allowed against the estate of D. C. Ruddle, dec'd., in the probate court of Independence county. Something may be collected on it, though doubtful.
- NOTES 310 and 311.—Judgments were obtained on these notes, and defendants appealed to the supreme court. The writ of error in No. 310 was quashed, and the judgment reversed on No. 311. These debts were classed as insolvent in 1850.
- NOTES 312 and 313.—These debts were reported as insolvent in 1850, by Ross.
- NOTE 314.—Reported by Mr. Ross in 1850, as insolvent.
- NOTES 315 and 316.—These notes were settled in lands by D. W. Lowe, as heretofore reported by Mr. Ross.
- NOTE 317.—This judgment was classed as doubtful by Ross in 1850. \$100 were reported to have been paid to the sheriff on fi. fa., that has never been reported to the bank as payment.
- NOTE 318.—This judgment is reported to have been paid in lands in 1853.
- NOTE 319.—Classed as doubtful in 1850, and the balance thought to be doubtful.
- NOTES 320 and 321.—These notes were reported as doubtful in 1850. We have no late information about them.
- NOTE 322.—Mr. Bevens thinks this note was paid previous to

Feb., 1847; but we cannot find anything on the books to show it. Debt lost.

NOTE 323.—Reinheart is dead. Hynson took the benefit of the bankrupt act in 1842. Debt lost.

NOTE 324.—Ross reported this debt as doubtful in 1850.

NOTES 325, 326 and 327.—These debts were all reported by Ross in 1850 as lost. No late information about them.

NOTE 328.—Defendants reported as insolvent in 1850.

NOTE 329.—Debt reported as doubtful in 1850.

NOTE 330.—The balance of this note assumed by P. P. Burton, who put in a new note for the amount, which has since been paid.

NOTE 331.—Debt reported doubtful by Ross in 1850.

NOTE 332.—Debt reported as lost by Ross, in 1850.

NOTE 333.—Debt reported as lost by Ross, in 1850.

NOTE 334.—Defendants reported as insolvent by Ross in 1850.

NOTE 335.—This debt reported as doubtful in 1850.

NOTE 336.—Debt reported as lost in 1850.

NOTE 338.—The payment of this debt was contested by the defendants. He claimed large credits on the note. By agreement it was submitted to arbitrators, and they found for the bank the sum of \$75. The amount has been paid by the defendants, which settles the debt as in full.

NOTE 343.—Strong took the benefit of the bankrupt act in 1842. The other defendants are believed to be dead. Debt lost.

NOTE 344.—This debt was reported by Ross as lost.

NOTE 345.—Reported in 1850 as debt lost.

NOTE 346.—Mr. Ross reported this debt as lost in 1850.

NOTE 347.—All dead except Strong. Debt lost.

NOTE 348.—All dead except Strong. Debt lost.

NOTE 349.—Mr. Ross reported this debt as insolvent in 1850.

NOTE 350.—This debt reported as insolvent in 1850.

NOTE 351.—This debt was reported as lost in 1850.

NOTE 352.—This debt was reported as insolvent in 1850.

NOTE 354.—This debt was reported as doubtful in 1850. The defendants are all dead.

NOTE 355.—This debt reported by Ross in 1850 as doubtful.

NOTE 356.—This debt reported by Ross in 1850 as doubtful.

NOTE 357.—This debt reported by Ross in 1850 as doubtful.

NOTE 358.—This debt reported by Mr. Ross in 1850 as lost.

NOTE 359.—This debt reported by Mr. Ross in 1850 as lost.

NOTE 360.—This debt reported by Mr. Ross in 1850 as lost.

NOTE 361.—Reported by Ross in 1850 as doubtful.

NOTE 362.—Reported by Mr. Ross in 1850 as doubtful.

NOTE 363.—Reported by Mr. Ross in 1850 as doubtful.

NOTE 364.—Defendants reported as insolvent in 1850.

NOTE 365.—This note was assumed by E. T. Burr, and renewed

by Wm. C. Bevens, and is included in the note of Mr. B for \$1,063 26 to the bank.

NOTE 366.—The balance due on this note is doubtful, if it is not lost. No payment has been made on it since Dec., 1851.

NOTE 367.—This note was assumed by Burr, and afterwards renewed by Bevens, and is included in his note executed to the bank for \$1,063 26.

NOTE 368.—All the defendants are dead. The principal was solvent, and so is his estate. If the debt has not been lost in the courts, it may yet be collected.

NOTE 370.—Thompson and Curl are dead. Strong is living and is solvent. The debt was classed as lost in 1850.

NOTE 371.—The defendants were classed as insolvent in 1850. We know nothing of the defendants.

NOTE 372.—The defendants were reported as insolvent in 1850. We have no late information about them.

NOTE 373.—Terry took the benefit of the bankrupt law in 1842. We know nothing about the solvency of the securities.

NOTE 374.—Terry is a bankrupt, and Fulcher is dead. We have no further information about the debt, or of the defendants.

NOTE 375.—The defendants were classed as insolvent in 1850. We have no late information.

NOTE 377.—The defendants were classed as insolvent in 1850.

NOTE 378.—This debt was classed as lost by Mr. Ross in 1850.

NOTE 379.—Wright is dead. The securities pleaded *non est factum* to the note on the trial. Plea sustained, and the debt lost.

NOTE 380.—Classed as lost by Mr. Ross in 1850.

NOTE 381.—This debt was reported by Ross in 1850 as doubtful. We have no late information about it.

NOTE 382.—Classed as debt lost in 1850.

NOTE 383.—This debt was classed as lost in 1850.

NOTE 384.—This debt was classed as lost in 1850.

NOTE 385.—This debt was classed as doubtful in 1850. No late information about it.

NOTE 386.—Classed as doubtful in 1850.

NOTE 387.—Classed as doubtful in 1850.

NOTE 388.—Classed as doubtful in 1850.

NOTE 389.—Classed as lost in 1850.

NOTE 390.—Classed as lost in 1850.

NOTE 392.—Mr. Bevens thinks this note was paid before February, 1847; but we have been unable to find anything on the books to show it. The note appears was reduced to \$114, before 1849, and may therefore have been paid.

NOTE 393.—This note, it appears, was settled by a payment in lands.

NOTE 394.—Mr. Ross reported the defendants good in 1850, but that judgment was doubtful. No information that judgment was obtained.

NOTE 395.—The last account of this note, suit was pending on it before a justice of the peace. Nothing has been paid. Doubtful.

NOTE 396.—Classed as doubtful in 1850 by Mr. Ross.

NOTE 397.—Classed as solvent in 1850. No late information about it.

NOTE 399.—The defendants classed as insolvent in 1850.

NOTE 400.—The defendants classed as insolvent in 1850.

NOTE 401.—Debt classed in 1850 as lost.

NOTE 402.—Debt classed in 1850 as lost.

NOTE 403.—Debt classed in 1850 as lost.

NOTE 404.—This note was compromised by the bank remitting a part of the interest then due; and paid as in full.

NOTE 405.—Balance of this note assumed by G. H. Morton, who gave a new note to the bank for \$300, which was accepted as in full of the original note. It has been paid.

NOTE 407.—The defendants classed as insolvent in 1850.

NOTE 408.—This debt was classed as insolvent in 1850.

NOTE 409.—This debt was classed as lost in 1850.

NOTE 410.—The defendants were classed as insolvent in 1850.

NOTE 411.—The defendants were classed as insolvent in 1850.

NOTE 412.—This debt was classed as lost in 1850.

NOTE 413.—This debt was classed as lost in 1850.

NOTE 414.—Wm. C. Bevins assumed the balance of this note and executed his note to the bank for \$542, which assumption paid the original note in full.

NOTE 415.—Simpson, one of the securities, paid \$1,209 05, in 1852. The balance is thought doubtful, yet it may be collected.

NOTE 416.—This note was not on Ross' list in 1850, but was paid in full in 1851.

NOTE 417.—This note was secured by mortgage on the Batesville Eagle press. Mortgage foreclosed and property sold in 1851; the proceeds of the sale, \$600, credited on the debt. Balance lost.

NOTE 418.—This amount was collected from the securities of Cook, on his official bond, as financial receiver at Batesville, being the amount said Cook received on the note of Handsford Tutt, and not paid into bank, \$200.

NOTE 419.—Not on Ross' list in 1850. Now paid in full.

NOTE 420.—Green H. Shaw assumed the balance of note 192, for Sam'l Johnson, and gave a new note for \$300, which has been paid in full.

NOTE 421.—This note was given for specie. It is still due.

NOTE 422.—This note was given for specie. There is a balance due on it. The principal is solvent.

NOTES 423, 424, 425 and 426.—All payable in *specie*, have been transferred to Hon. G. C. Watkins, executor of James M. Curran, dec'd, and credited on decree against State Bank in favor of Curran's estate.

NOTE 427.—This note was substituted for one due by D. W. Lowe, I. Folsom, J. T. Smith, J. Lee, H. W. Hunt, J. B. Wycough, A. S. Carter and A. W. Brandy. We have no late information about this note. It was not on Ross' list in 1850. We suppose it has been paid; if not it is lost by the statute running on it.

NOTE 428.—This note was assumed by W. C. Bevens, who put in a new note for \$1,300, which included note 428.

NOTE 429.—This note was secured by mortgage on real estate; mortgage foreclosed and land sold for \$357 75, which is all that ever will be collected.

NOTE 430.—Is a new note, and amount assumed for part of Wolf's debts. Now paid in full.

PRINCIPAL.	SECURITIES.	Amount of note.	Note, when due.	Where judgment obtained, or residence of debtors.	Date of judgment.	Names of parties against whom judgment was rendered.	Credits up to 31st Decem-ber, 1850.	Credits from 1st January, 1851, to 1st Sept. 1854.	Credits from 1st September, 1854, to 1st October, 1858.	Amount of principal due 1st Oct'r, 1858.	Amount of in-terest due 1st Oct'r, 1858.	Total amount of principal and interest due to 1st Oct'r, 1858.	Supposed condition of debtors and their securities.	REMARKS.
1 Alexander, William H.	Leonidas L. Johnson and Greenville Gaines	1,200 00	July 16, 1840.	Phillips			520 00			968 00	1,161 60	2,129 60	Solvent.	This debt is thought to have been paid.
2 Alexander, David	J. Harman and D. G. W. Leavitt	667 00	July 14, 1846.	Desha			639 96	171 11						In full.
3 Baker, William H.	Ignace Bogy and Arthur Whitfield	1,850 00	June 15, 1844.	Jefferson	July 18, 1850.	All the parties	1,435 10	1,062 53						In full.
4 Bennett, M. & Co.	George B. Watson, jr., and Joseph Bennett	4,780 00	same				6,150 38							In full.
5 Bragg, Antoine	J. J. Hammett, W. D. Drope and R. McCall	1,550 00	February 24, 1846	Jefferson	July 18, 1850	Bank				1,550 00	1,510 38	3,060 38	Debt lost.	
6 Bragg, John M.	William Strong	1,100 00	February 16, 1841	Phillips		Burns, dead				1,100 00	1,551 49	2,651 49	Debt lost.	
7 Bragg, John M.	S. C. Mooney, G. Broadnax and A. J. Greer	400 00	July 30, 1840.	Phillips		All the parties dead.				400 00	581 33	981 33	Debt lost.	
8 Bragg, John M.	Decree, part of William Phillip's debt.	5,000 00		Jefferson			5,000 00		1,750 46					In full.
9 Bragg, John M.	S. P. Craig, F. Hanks and J. G. Aldridge	450 00	January 13, 1840.	Phillips						450 00	673 50	1,123 50	Debt lost.	
10 Bragg, John M.	J. Thompson, jr., James Clark and B. Thompson	300 00	October 3, 1839.	Arkansas						300 00	456 00	756 00	Debt lost.	
11 Bragg, John M.	J. Thompson, jr., R. S. Connell and B. Thompson	1,300 00	same	Monroe						1,300 00	1,976 00	3,276 00	Debt lost.	
12 Bragg, John M.	Securities not named	270 00	March 28, 1846.	Arkansas	April 16, 1840.		349 30							In full.
13 Bragg, John M.	W. M. Bostick and W. G. Roper	500 00	May 15, 1848.	Phillips			551 45							In full.
14 Bragg, John M.	James Smith and Richmond Peeler	35 00	June 15, 1844.				6 17			31 00	23 13	54 13	Debt lost.	Plea of the statute limitations sustained.
15 Bragg, John M.	A. W. Goodloe and A. K. Miller	7,490 00	June 15, 1847.	Chicot			1,500 00	300 00		6,440 00	4,992 18	11,432 18	Debt lost.	In 1853 \$300 was p'd on comp., as in full.
16 Bragg, John M.	C. C. Stewart and W. R. Campbell	3,000 00	June 15, 1848.	Chicot			675 00	4,762 50						In full.
17 Bragg, John M.	James Scull, jr., and F. N. Vaugine	300 00	March 8, 1847.	Jefferson										In full.
18 Bragg, John M.	James Scull, jr., and Francis Dardenne	2,962 00	March 1, 1847.	Jefferson			2,018 94							In full.
19 Bragg, John M.	Wm. D. Ferguson and Joseph C. Dean	600 00	August 2, 1841.	Arkansas	April 6, 1846.					600 00	824 00	1,424 00	Debt lost.	Dean's dead; Ferguson insolvent.
20 Bragg, John M.	Ignace Bogy and Drew White.	640 00	June 15, 1848.	Jefferson		(This note substituted for A. H. Davies' debt.)	677 00							In full.
21 Bragg, John M.	Mortgage on real estate	332 90	Sept. 15, 1844.	Arkansas			455 27							In full.
22 Bragg, John M.	same	1,152 00	March 28, 1845.	Desha			100 00							In full.
23 Bragg, John M.	John H. Lenox and Samuel Wells	650 00	February 24, 1846	Arkansas	April 17, 1849.					650 00	657 21	1,307 21	Doubtful.	
24 Bragg, John M.	William Wright and James Scull	165 00	August 16, 1842.	Desha	March, 1844.					165 00	212 85	377 85	Substituted for note of J. N. Buck, if not paid, lost.	
25 Bragg, John M.	Abraham Knowlton and E. Cheatham	800 00	August 11, 1841.	Desha	Sept term, 1844.		115 96			800 00	1,096 87	1,896 87	Debt lost.	Edington dead.
26 Bragg, John M.	same	180 00	February 16, 1843	Desha	March, 1844.		139 66							In full.
27 Bragg, John M.	Garland Harvick and William Wright	240 00	July 27, 1841.	Desha	September 5, 1844	Dismissed at plaintiff's cost	270 40							In full.
28 Bragg, John M.	Jordan Embree and S. C. Roane	140 00	July 16, 1847.	Jefferson			169 00							In full.
29 Bragg, John M.	George B. Watson, sr. and Joab Mitchell	640 00	July 23, 1840.	Arkansas			334 00							In full.
30 Bragg, John M.	Mortgage on real estate	420 00	June 15, 1844.	Arkansas			586 85							In full.
31 Bragg, John M.	S. R. Flynn and R. W. Holland	840 00	September 12, '47.	Arkansas			355 02							In full.
32 Bragg, John M.	Frederick Notrile and L. S. Refell	4,090 00	June 15, 1847.	Arkansas			4,342 00	761 91						In full.
33 Bragg, John M.	R. H. Yates and Thomas B. Hanl	300 00	January 21, 1843	Phillips			130 00			210 50	234 53	445 03	Solvent.	
34 Bragg, John M.	Geo. B. Watson, jr. and Joseph Bennett	997 04	June 15, 1846.	Desha			1,136 62							In full.
35 Bragg, John M.	Benjamin Taylor and Joel Johnson	900 00	June 15, 1847.	Chicot		Bank in probate court, Chicot				900 00	813 00	1,713 00	Debt lost.	
36 Bragg, John M.	S. C. Mooney and G. Broadnax	430 00	July 21, 1840.	Crittenden		Parties all dead.				480 00	698 66	1,178 66	Debt lost.	Judgment in Phillips county.
37 Bragg, John M.	John Malpass and D. G. W. Leavitt	170 00	June 15, 1844.	Desha			125 50			125 50	80 00	205 50	Debt lost.	Whiting p'd hlf on compromise as in full.
38 Bragg, John M.	John Malpass, Frederick Von Nae Joff and J. McLain.	270 00	September 30, '41	Desha			392 00							In full.
39 Bragg, John M.	William Sexton and George B. Watson, jr.	300 00	February 1, 1842	Desha						300 00	404 00	704 00	Debt lost.	
40 Bragg, John M.	Isaac Taylor and John Clark	600 00	September 4, 1841	Phillips			155 00			578 33	662 62	1,240 95	Solvent.	
41 Bragg, John M.	William Grooms and Thomas Moore	182 00	March 18, 1842.	Desha	March, 1844.	Judgment in Jefferson county				182 00	240 24	422 24	Insolvent.	
42 Bragg, John M.	Mortgage on real estate	420 00	June 15, 1844.		April 8, 1846	Lands sold and bought by Dorris								Cannot tell the a't p'd or am't due on debt.
43 Bragg, John M.	same	7,500 00	same	Jefferson			7,982 70							In full.
44 Bragg, John M.	Thomas Curl and William Strong	559 65	not stated.	Arkansas	In 1840	All the parties.				559 65	805 86	1,365 51	Debt lost.	
45 Bragg, John M.	Isham T. Jones and John Richmond	760 00	August 7, 1842.	Arkansas	October, 1849.	Judgment against the bank				760 00	981 68	1,741 68	Debt lost.	
46 Bragg, John M.	F. W. Pennington and J. C. Grosz	490 00	October 19, 1841.	Jefferson	October 10, 1843	Pennington				490 00	627 20	1,117 20	Debt lost.	
47 Bragg, John M.	Isham T. Jones, T. and J. Richmond and Thomas Durr	1,050 00	Sept 30, 1841.	Desha	March, 1845.	Judgment against securities				1,050 00	1,423 00	2,478 00	Debt lost.	
48 Bragg, John M.	same	210 00	January 15, 1842	Desha	March, 1845.	Judgment against securities				210 00	280 70	490 70	Debt lost.	
49 Bragg, John M.	David Alexander and Abraham Knowlton	155 94	June 1, 1846.				174 37							In full.
50 Bragg, John M.	James Smith and George B. Watson, jr.	50 00	January 15, 1842.	Arkansas						50 00	67 32	117 32	Insolvent	Byers, bank attorney.
51 Bragg, John M.	John L. Jones, J. C. Walton and Jesse B. Mitchell	140 00	June 15, 1844.	Arkansas		Judgment against the bank.	24 21	82 51		44 40	45 60	90 00	Debt lost.	
52 Bragg, John M.	John M. Shultz and John W. Pulte	90 00	same	Arkansas		Paid 10th November, 1847	95 00							In full.
53 Bragg, John M.	Benjamin Johnson and L. L. Johnson	5,920 00	Sept. 15, 1844.	Chicot		Paid 10th November, 1847	7,413 16							In full.
54 Bragg, John M.	Securities not given.	4,908 00	same	Chicot			5,066 15							In full.
55 Bragg, John M.	James Smith and George B. Watson	80 00	June 15, 1845.	Desha			52 10			52 10	39 23	91 33	Solvent.	
56 Bragg, John M.	W. A. Sample and S. Wells	310 00	June 15, 1847.	Arkansas			418 49							In full.
57 Bragg, John M.	G. W. S. Cross and S. Wells.	2,500 00	June 15, 1848.	Arkansas										In full.
58 Bragg, John M.	Mark Mitchell and James T. Brown	500 00	June 15, 1850.	Arkansas			721 23	750 00						Balance paid in full by note 146.
59 Bragg, John M.	G. W. Johnson and James Clark	4,600 00	June 15, 1847.	Chicot			3,220 00	2,281 00						same same.
60 Bragg, John M.	Cephas Knowlton and Stephen Knowlton.	284 00	same	Desha			53 13							In full.
61 Bragg, John M.	Cephas Knowlton and Miles Knowlton.	590 00	same	Desha			696 95							In full.
62 Bragg, John M.	Edward W. Lindsey and John R. Luley	260 00	same				92 20							In full.
63 Bragg, John M.	same	210 00	June 15, 1846.				109 20	842 57						In full.
64 Bragg, John M.	William H. Lindsey and John R. Lindsey	210 00	same				109 00							In full.
65 Bragg, John M.	Robert H. Douglass and L. Refeld.	2,743 36	April 1, 1845.	Arkansas			1,420 00	2,981 60						In full.
66 Bragg, John M.	William H. Sutton and Thomas N. Byers.	650 00	June 15, 1844.	Desha			279 50			500 00	451 66	951 66	Debt lost.	James, bank attorney.
67 Bragg, John M.	Albert Pike and John Clark	1,900 00	same	Desha			1,151 42			1,090 00	984 63	2,074 63	Debt lost.	same same
68 Bragg, John M.	Mortgage on real estate	16,367 50	September 15, '44	Arkansas		(Mortgage foreclosed and property sold)	12,516 00	1,091 95						In full.
69 Bragg, John M.	J. L. Dawson, R. Miller and Wood Tucker	650 00	March 23, 1840.							650 00	962 00	1,612 00		(Clerk rep'ts money in hands of receiver)
70 Bragg, John M.	William K. Sebastian and John S. Minor.	550 00	June 23, 1840.							550 00	803 00	1,353 00	Solvent	Mr. Hornor says this debt is paid, books dont show it.
71 Bragg, John M.	A. J. Greer, G. Broadnax and J. A. Erriss	400 00	July 30, 1840.							400 00	586 66	986 66	Debt lost.	Parties all dead.
72 Bragg, John M.	Leonidas L. Johnson and William Segett.	800 00	July 6, 1840.				549 74			400 00	550 67	950 67	Debt lost.	
73 Bragg, John M.	John C. Jenifer and T. B. Hanly	1,350 00	October 21, 1840.							2,350 00	1,935 00	3,285 00	Debt lost.	This debt may have been paid, can't tell.
74 Bragg, John M.	Securities not named.	455 00	June 15, 1847.	Desha			24 00							In full.
75 Bragg, John M.	Mark Mitchell	5,543 00	September 2, 1849	Arkansas										M. Mitchell gave his own note for this debt.
76 Bragg, John M.	Jesse B. Mitchell and Paul Sample	9,825 00	June 15, 1844.	Arkansas										In full. See appendix for new note.
77 Bragg, John M.	Samuel Mitchell and Paul Sample.	2,125 00	same	Arkansas										In full.

D--Concluded.

No. of Note.	PRINCIPAL.	SECURITIES.	Amount of note.	Note when due.	Where judgment obtained, or residence of debtors.	Date of judgment.	Names of parties against whom judgment was rendered.	Credits up to 31st December, 1850.	Credits from 1st January, 1851, to 1st September, 1854.	Credits from 1st September, 1854, to 1st October, 1858.	Amount of principal due 1st October, 1858.	Amount of interest due 1st October, 1858.	Total amount of principal and interest due 1st October, 1858.	Supposed condition of Debtors and their securities.	REMARKS.
70	Mitchell, Mark.	No security.	1,851 00	December 18, 1845	Arkansas					628 60	1,551 00	819 29	2,670 29	Solvent.	
71	Maxwell, David.	James Smith and James M. Smith.	194 00	June 15, 1847.	same	September, 1844.		142 54	104 59						In full.
80	Malpass, John.	Abraham Knowlton and John Hughes.	960 00	February 18, '43.	Desha.					800 00	960 00	887 81	1,847 81	Debt lost. Execution returned.	nulla bona. Byers, and compromised.
81	Miller, Andrew K.	James Clark and A. W. Goodloe.	1,125 00	June 15, '44.		April 16, 1846.		660 00			925 00	618 58	1,543 58	Insolvent.	So says Byers, bank attorney.
82	Mitchell, Jacob.	Samuel Mitchell and Jesse B. Mitchell.	570 00	same	Arkansas	same					570 00	651 70	1,221 70	Solvent.	
83	same	George B. Watson and William Sexton.	720 00	same	same						720 00	823 20	1,543 20	Solvent.	
84	Moore, J. D.	Mortgage on real estate.	2,625 00	same	same			8,322 93							In full.
85	Notrebe, Frederic.	L. L. Refell and T. Farielly.	2,360 00	same	same			1,800 00	2,494 75	536 62					In full.
86	Pice, William.	John L. Jones and Jesse B. Mitchell.	860 00	August 11, 1845.	same				192 50	133 95					In full.
87	same	Mortgage on two horses and lands.	2,400 00	March 4, '45.	same					4,632 94					In full.
88	Phillips, William.	Mortgage on real estate.	6,806 00	June 15, 1849.	Jefferson.			2,156 00							J. Bogy gave new note for \$5,000.
89	same	Security not stated.	105 00	June 15, '47.	same										In full.
90	same	Security not stated.	320 00	March 8, '47.	same	October, 1849.			1,188 50						In full.
91	Pratt, William.	Joel Offett and Wilford Garner.	710 00	Nov'r 15, '40.				572 00	273 00						In full.
92	Rankin, Robert P.	Henry Yerby and William Yerby.	2,400 00	July 27, 1840.				2,326 52			1,873 76	822 40	2,261 16	Doubtful.	
93	Roper, Austin P.	W. P. Craig and P. G. Kennett.	500 00	January 18, '40.		October, 1840.					500 00	748 32	1,248 32	Insolvent.	
94	Reese, Alexander.	R. Smally, W. Jacobs and William Reese.	178 00	June 15, '43.				102 06			75 94	60 70	186 64	Doubtful.	
95	same	same same and O. Palmeston.	220 00	September 15, '47.				185 00			96 69	61 84	153 53	Doubtful.	
96	Roane, John S.	Sam. C. Roane and Israel Embree.	375 00	June 15, '44.	Jefferson.			493 00							In full.
97	Richmond, Barton.	Thomas J. Lacy and S. V. R. Ryan.	600 00	same		April, 1850.		219 00			477 60	456 71	933 71	Debt lost.	Lacy and Ryan are dead.
98	Rust, Albert.	John H. Cuth and Thomas Owen.	800 00	do 4, '41.	Arkansas.	October, 1839.					800 00	1,109 33	1,903 33	Solvent.	
99	Strong, William.	T. J. Curl, J. J. Thompson, W. Williams and H. H. Curl.	5,000 00	do 4, '39.	same	same					5,600 00	7,769 99	12,769 99	Debt lost.	
100	same	same same and Allen D. Burriess.	5,000 00	same	same						5,000 00	7,769 99	12,769 99	Debt lost.	
101	Shotwell, Alfred L.	Securities not stated.	17,120 00	March 7, 1846.	Desha.			10,366 56							Samuel Mitchell gave note for the balance, \$12,320.
102	Smith, Sidney R.	Alfred L. Shotwell and James Clark.	1,000 00	June 15, '45.				1,149 00							In full.
103	Smith, D. G. W.	Securities not stated.	853 00	do 15, '46.				932 54							In full.
104	Smith, James M.	James Smith and John F. Smith.	982 70	September 22, '47.				1,177 52							In full.
105	same	same	490 00	June 15, 1847.				597 00							In full.
106	Smith, James.	No security.	84 94	November 15, '48.				83 58							In full.
107	Smith, John F.	James Smith and James M. Smith.	236 25	June 11, '46.				349 00							In full.
108	Stroud, William.	William Sexton and John Malpass.	650 00	do 15, '45.				500 00	415 00						In full.
109	same	same	400 00	do 15, '47.					525 90						In full.
110	Smalley, Robert R.	T. A. Ferris, C. Palmeston and Alexander Reese.	220 00	September 15, 1847.							220 00	193 85	413 85	Solvent.	
111	same	W. Jacobs	173 00	do 25, 1848.				186 00							In full.
112	Stewart, Charles A.	B. H. Whitworth, J. Wilkerson and J. Harman.	712 47	June 15, 1845.				393 25	424 50						In full.
113	Stamps, William A.	Solomon Wells and J. L. Jones.	620 00	do 15, '44.				841 00			540 85	348 14	836 96	Solvent.	
114	Stroud, Calvin.	George B. Watson and William Sexton.	300 00	do 15, '44.				197 50	117 52						In full.
115	Sevier, A. H.	Benjamin Johnson and R. W. Johnson.	1,782 75	do 15, '46.				1,523 50							Balance assumed by J. S. Roane.
116	Sexton, William.	George B. Watson, J. F. Smith and T. N. Byers.	375 00	do 15, '44.				324 21							In full.
117	same	James Smith.	1,413 25	do 15, '46.				1,274 50	436 64						In full.
118	Scull, Hewes.	James Scull and W. B. Scull.	1,450 00	April 19, 1846.				952 10	1,432 50						In full.
119	Steed, Moses.	(See note).	1,000 00	March 3, 1843.											Dorris said this note was the private property of Steed.
120	same	(See note).	1,000 00	March 3, 1844.											same same same
121	Swain, P. H.	B. B. Smith and W. L. Ward.	1,200 00	September 13, 1849.				50 00			1,200 00	1,723 00	2,923 00	Insolvent.	
122	Starr, George W.	A. Knowlton, T. Moore and S. V. R. Ryan.	90 00	August 10, '42.							90 00	115 20	205 20	Debt lost.	
123	Snegett, William P.	Robert P. Rankin and O. W. Gaines.	1,500 00	June 6, 1840.				765 50			1,500 00	1,458 33	2,953 33	Doubtful.	
124	Tucker, Wood.	James Scull and James Scull, Jr.	970 00	do 15, '44.				865 50			288 90	235 91	524 81	Debt lost.	
125	Tollerson, J. C. P.	Davis Thompson, B. F. Odle and W. P. Craig.	500 00	January 10, '40.							500 00	743 88	1,243 88	Debt lost.	
126	same	Davis Thompson and William Cummins.	500 00	July 24, 1839.							500 00	767 32	1,267 32	Debt lost.	
127	same	N. H. Izard, B. W. Lee and William Price.	500 00	May 24, 1839.							500 00	773 99	1,273 99	Debt lost.	
128	Thompson, John J.	Benjamin Thompson and R. S. Connell.	1,500 00	January 31, '40.							1,500 00	2,240 00	3,740 00	Debt lost.	
129	Thompson, Davis.	Reason Bow, S. C. Mooney and J. B. Ford.	900 00	March 19, 1840.							900 00	1,335 00	2,235 00	Debt lost.	
130	Van Nancendorf, F.	John Malpass and William Stroud.	253 00	June 15, 1846.				91 30	264 50						In full.
131	Williams, William.	Richard H. Yates and N. Rightor.	400 00	July 6, 1840.							400 00	523 54	923 54	Doubtful. This note is thought to have been paid. We cannot tell from the books.	
132	Whiting, Elijah.	James Hubbard and J. L. Whiting.	370 00	June 15, 1846.				324 00	172 00						In full.
133	Walden, William.	S. Hopkins and John McLain.	198 75	same				209 60							In full.
134	same	same	166 11	June 16, 1847.							166 11	139 27	305 38	Doubtful.	Walden dead.
135	Watson, George B.	Benjamin Clark and S. H. Wilson.	525 00	June 15, 1847.											In full.
136	same	Calvin Stroud and James Smith.	1,105 00	same				2,154 00	3,008 94						In full.
137	same	same	2,096 00	same											In full.
138	Waters, Milly.	James Smith and J. W. McLain.	145 00	same				54 70			115 00	76 56	191 56	Doubtful.	
139	Wilkinson, George W.	William Rose and William S. Grooms.	135 00	August 6, 1842.				73 91			52 81	69 32	116 63	Solvent.	
140	White, Joseph.	John Malpass and C. H. Henton.	60 00	September 11, 1841.				19 49			45 51	61 88	107 39	Debt lost.	Plea of the statute of limitation.
141	Wilson, S. H.	C. A. Stuart and H. S. Edington.	500 00	June 15, 1846.				478 57	723 13						In full.
142	Yerby, Henry.	R. P. Rankin and William Yerby.	1,050 00	July 6, '40.				408 09			897 91	1,082 64	1,980 55	Doubtful. These two notes of Yerby are thought to have been paid. We have been unable to tell from the books.	
143	Yerby, William.	R. P. Rankin and Henry Yerby.	1,050 00	same				408 09			897 91	1,082 64	1,980 55	Doubtful.	In full.
144	Yell, James.	T. F. Yell and Andrew Hudgins.	127 00	February 3, '47.				662 40	975 51						In full.
145	same	T. F. Yell, Thomas S. James and F. A. James.	1,160 00	June 15, 1848.											In full.

APPENDIX.

No. of note.	PRINCIPAL.	SECURITIES.	Amount of note.	Note when due.	Where judgment obtained, or residence of debtors.	Date of judgment.	Names of parties against whom judgment was rendered.	Credits up to 31st December, 1850.	Credits from 1st January, 1851, to 1st September, 1854.	Credits from 1st September, 1854, to 1st October, 1858.	Amount of principal due 1st October, 1858.	Amount of interest due 1st October, 1858.	Total amount of principal and interest due 1st October, 1858.	Supposed condition of debtors and their securities.	REMARKS.
146	John L. Jones.	B. H. D. Jones and William H. and Thomas Halliburton.	2,211 93	June 15, 1842.					2,700 00	15,211 67	8,976 09	1,098 56	10,014 56	Solvent.	In full. Pays notes Nos. 57 and 58.
147	Samuel Mitchell.	Judgment in Pulaski county.	24,338 09	January 1, 1851.					16,459 42						In full.
148	same	Amount assumed for A. L. Shotwell.	12,800 00	November 10, 1845.					12,992 74						In full.
149	Isaac Taylor.	George W. Taylor and William B. Fain.	160 00	March 31, 1843.				2,839 00			1,690 00	1,920 00	3,520 00	Insolvent. Note went into Byers' hands in 1850, not heard of since.	
			249 505 28					112,656 44	65,326 78	24,671 74	64,931 90	68,010 26	132,942 16		

OFFICE OF THE FINANCIAL RECEIVER OF THE BANK OF THE STATE OF ARKANSAS,
Little Rock, Arkansas, 10th October, 1858. }

WM. M. GOUGE,
A. H. RUTHERFORD,
State Accountants under act of 15th January, 1857.

BRANCH AT ARKANSAS POST.

The following remarks are condensed from the reports and letters of the attorneys of the branch, also from information obtained by the financial receivers of the principal bank, from various sources:

NOTE No. 1.—This note was reported by Ross in 1850, without any credit, though \$520 had been paid. Mr. W. H. Ringo, who had something to do with it, thought it was paid in full. We, therefore, class the balance, if anything is due, as lost. Mr. Ross returned the defendants as insolvent.

NOTE 5.—Judgment was obtained against the bank in 1850, in Jefferson county. Mr. Barraque is able to pay. Debt lost.

NOTE 6.—Burris is dead. Strong took the benefit of the bankrupt law in 1842. The debt is lost. Strong lives in Tennessee, and is able to pay if he would.

NOTE 7.—All the defendants are dead. Debt lost.

NOTES 9 AND 10.—The defendants on these notes were all classed as insolvent and the debts lost in 1850. No information has since been received about them.

NOTE 11.—Isaac Taylor, one of the directors of the bank, was appointed an agent in 1841 to look after this debt, as Clark was about "to run his property." Nothing was ever collected from him, and the debt is lost.

NOTE 14.—The balance due on this note is lost. The defendant interposed the plea of the statute of limitation, and his plea was sustained.

NOTE 15.—Mr. Trapnall proposed to compromise this debt with the bank, by paying \$300, which proposal Mr. Ross acceded to, after he ascertained that he could not get any more, and that it was so much made for the bank. Balance of the judgment lost.

NOTES 17 AND 18.—Mr. Ross reported these notes as paid in full, yet the credits do not show them to be paid.

NOTE 19.—One of the Deans has gone to Texas, the other is dead, and Ferguson, who is insolvent, lives in Memphis, Tennessee.

NOTE 22.—This debt was secured by mortgage. In 1846, the mortgage was foreclosed and the lands sold for \$100. M. W. Dorriss bought the land in his own name, and paid to the bank \$100. Mr. Dorriss was the attorney for the bank, and no doubt bought it in to secure the payment of the bank debt. The deed was taken in his own name. He died in 1849. The title to the land was investigated in 1857, and found to be still subject to the bank lien. Mrs.

Roane, the guardian of Mrs. Dorriss' children, proposed to pay the bank the amount of the debts at the time of the sale. This proposition was regarded by the financial receiver as liberal, the representatives of Dorriss having had the land in possession over 10 years. Mrs. Roane executed her note to the bank for \$1,260, due 21st June, 1858, and the bank transferred its right to the land to Mrs. Roane. The compromise was a favorable one for the bank.

NOTE 23.—Judgment rendered on this note in Arkansas county. Davis is dead, and his estate is insolvent. Lenox is also dead. We know nothing about the other security. The debt may be regarded as lost.

NOTE 24.—This note was substituted for the note of J. N. Buck. If it is not paid, lost.

NOTE 25.—Edington and Cheatham are dead. Debt doubtful, if not lost.

NOTE 29.—Freeman dead—balance paid by note 114.

NOTE 31.—Balance of this note paid by note 145.

NOTE 33.—Judge Hanly is solvent. Ford and Yeates are dead. Hanly says this note is paid in full, but we do not find it so from the books and papers in the bank. The balance may be put down as doubtful.

NOTE 35.—Judgment was rendered against the bank on this note, in the probate court of Chicot county, and the debt reported as lost by James, bank attorney in 1853.

NOTE 36.—Judgment in Phillips county. The defendants are all dead. Debt lost.

NOTE 37.—Whiting paid half of this note on compromise, as in full, the other half lost. Though the payment was made in 1850, the amount was not reported by Mr. Ross, and it appears that Byers did not charge himself with the amount in his settlement. He still owes the amount to the bank.

NOTE 39.—Mr. Byers reports this debt as lost by the statute of limitation.

NOTE 40.—Judge Hanly says this debt is paid, though we cannot find any evidence of it in the bank. It may be classed as doubtful or lost.

NOTE 41.—Judgment at March term, 1844. Sheriff returns no property. Byers supposes the debt lost.

NOTE 42.—Lands sold and bought by Dorriss for a small sum. We class the judgment as lost. We cannot tell the amount paid, or the amount due on this debt.

NOTES 44, 45, 46, 47 AND 48.—These debts are all lost, and we have been unable to learn any thing concerning the defendants.

NOTE 50.—Mr. Byers reports the defendants as insolvent.

NOTE 51.—Judgment against the bank. Debt lost.

NOTE 55.—The defendants are reported to be solvent, but from the length of time since the payment on it, it may be put down as doubtful, if not lost.

NOTES 57 AND 58.—Balance paid by note 146.

NOTE 66.—Mr. James, bank attorney, reported this debt as lost.

NOTE 67.—Mr. James, bank attorney, reported this debt as lost.

NOTE 69.—Judgment in Jefferson county, in 1850. Property sold, and the money in the hands of the receiver. The attorney at Pine Bluff has been written to about this debt, but no answer has been received from him yet. It is probable that the money was paid to Mr. Ross in his life-time.

NOTE 70.—Mr. Wm. H. Ringo's statement to the clerk of Phillips county, Mr. Yeates, in 1850, was, that this debt was paid. Mr. Hornor states the same. Yet the books in the bank do not show it paid. If not paid it is lost. The securities are solvent.

NOTE 71.—The defendants are all dead. Debt lost.

NOTE 72.—This debt was classed by Ross in 1850 as lost. The defendants are reported to be dead.

NOTE 73.—This debt is reported by Mr. Wm. H. Ringo to have been paid. We cannot tell whether it has been or not, but from the best information, we suppose it has been. Yet the books do not show it—we class it as lost.

NOTE 74.—M. Mitchell settled this debt, by putting in his own note for the amount.

NOTES 75, 76 AND 77.—Consolidated and settled by Sam'l Mitchell, who gave a note for \$24,338 09, and has since made large payments on it. The balance will be paid soon.

NOTE 78.—This is a judgment in the probate court of Arkansas county. The attorney at Pine Bluff, who has had this claim, and others, in his hands for collection, reports that the balance due, or a part of it, will be collected. We class it as good.

NOTE 80.—This is a judgment. The executions issued on it were returned by the sheriff indorsed "*nulla bona.*" Byers reported the debt as lost. Compromised by Crutchfield with defendant, and \$300 received as in full.

NOTE 81.—Mr. Byers, late bank attorney, reported the defendants as insolvent.

NOTES 82 AND 83.—The defendant and his securities are solvent. We have been unable to learn any thing about the certainty of the payment of these debts. We class them as solvent, though the statute may have run on them. Joab Mitchell removed to Louisiana, and perhaps will pay them.

NOTE 88.—This note was settled in full, by substitution of

Ignance Bogy's note for \$5,000, which has been paid in full. See note 8.

NOTE 92.—Rankin paid part of this debt to Sebastian, and Wm. H. Ringo reported to the clerk of Phillips county, in January, 1850, that he had Rankin's note for the balance of the debt. This is the only information we have been able to get in this matter. Mr. Ringo is dead, and the note which he reported to the clerk as being in his possession, should be in the hands of his administrator in Phillips county. If the note can be found, the debt may be collected yet.

NOTE 97.—The principal in this note is solvent, and the securities are dead. Mr. Richmond says the note was not discounted for his benefit, and refuses to pay it on that ground. The statute has run on the debt for some years. We class it as lost.

NOTE 98.—This is a judgment against the securities, the suit having been discontinued as to Albert Rust. The judgment is in Union county. We have not been able to ascertain the facts about the debt, but all the defendants are men of property, and we think would pay this debt if it is justly due from them.

NOTES 99 and 100.—Mr. Strong took the benefit of the bankrupt law in 1842, and was thereby discharged from all his debts. The securities are believed to be dead. Debt lost.

NOTE 101.—Samuel Mitchell assumed \$12,320 of this debt by putting in a new note, which has been since paid to the bank.

NOTE 110.—The defendants were classed as solvent in 1850, by Mr. Ross. We have not been able to learn anything about it since.

NOTE 111.—Mr. Ross said in his report in 1850, in relation to this debt, "that this note was not turned over to Byers." It may be paid in full. We have not been able to learn anything further about it.

NOTE 113.—This note was not turned over to Byers. It may be paid in full. We have no positive evidence of its payment, and therefore we classed it as good.

NOTE 115.—Part of this debt paid by Dorriss' administrator, and the balance, \$726 73, assumed and paid by John S. Roane.

NOTES 119 and 120.—Mr. Dorriss said these notes were the private property of Mr. Steed, but they were turned over to the bank agent in 1849 as assets.

NOTE 121.—Judgment was obtained on this note against Ward et al., April 6, 1846. The defendants are classed as insolvent, and we know nothing about them.

NOTE 122.—Starr, Ryan and Knowlton are dead. Debt lost.

NOTE 123.—We know nothing about this debt. The defendants were classed as to the collection of this debt as doubtful in 1850, and we have no information since.

NOTE 124.—The balance due on this note is lost. Judgment was rendered against the bank in 1850, in the circuit court of Jefferson county.

NOTES, 125, 126, 127, 128 and 129.—Classed in 1850 as debts lost.

NOTE 131.—Mr. Wm. H. Ringo represented to the clerk of Phillips county in 1850, that he thought this debt had been paid by Williams. This is all the information we have been able to obtain in relation to this debt. If not already paid it is lost.

NOTE 134.—Walden is dead, and the collection of the debt was thought to be doubtful in 1850. Learning nothing about it since, it may be put down as lost.

NOTE 138.—The collection of the balance of this note is doubtful, if it be not already lost.

NOTE 139.—We cannot find that this claim was ever allowed against the estate of Wilkerson, and if it was not, it is lost. The estate was considered solvent in 1850.

NOTE 140.—The plea of the statute of limitation was interposed by the defendant in this case, which was sustained. Debt lost.

NOTE 142.—In the report of the clerk of Phillips county, dated 19th January, 1850, it is stated that this judgment was entered satisfied by Wm. K. Sebastian, by request of Mr. M. W. Dorris, then bank attorney.

NOTE 143.—The clerk of Phillips county says, "no return made on execution. Docket executions not found in my office." Of these two notes, Mr. Ross said in 1850, "that the \$816 18, credited on them was paid by Miller Irvin, sheriff of Phillips county. The balance on these debts may have been paid, but I have nothing in the bank to show it."

NOTE 146.—This note pays notes 57 and 58.

NOTE 147.—This note pays notes 75, 76 and 77.

NOTE 148.—This note pays the balance due on Shotwell's note 101.

NOTE 149.—This note went into the hands of Byers in 1850, and nothing is known of it since. Taylor is dead, and his estate insolvent. Nothing is known of the circumstances of the securities or their ability to pay.

TABLE E.

	Little Rock.	Fayetteville.	Batesville.	Post of Arkansas.	Total.
	\$ cts.	\$ cts.	\$ cts.	\$ cts.	\$ cts.
Original amount of notes as stated on tables.....	440,332 37	193,559 65	228,475 21	249,805 26	1,112,172 49
Amount collected to October 1, 1858.....	352,833 06	107,923 65	73,897 01	205,684 96	740,338 68
Amount uncollected October 1, 1858, of debts classed as solvent.....	23,483 79	14,246 71	8,519 71	24,036 46	70,286 67
“ “ “ classed as doubtful.....	21,983 55	21,673 03	121,871 52	12,228 55	177,756 75
“ “ “ classed as insolvent.....	145,372 44	76,180 81	86,589 72	9,474 46	317,617 43
“ “ “ classed as lost.....	168,057 17	150,335 55	119,948 59	87,202 69	525,544 00
Total amount uncollected, October 1, 1858.....	358,896 95	262,436 10	336,929 54	132,942 16	1,091,204 75
Principal uncollected, October 1, 1858.....	168,892 91	120,177 88	154,716 89	64,931 90	508,719 58
Interest “ “	190,004 04	142,258 22	182,212 65	68,010 26	582,485 17
Total amount of principal and interest uncollected 1st October, 1858..	358,896 95	262,436 10	336,929 54	132,942 16	1,091,204 75

OFFICE OF THE FINANCIAL RECEIVER,

OF THE BANK OF THE STATE OF ARKANSAS,

Little Rock, Arkansas, 10th October, 1858.

WM. M. GOUGE,

A. H. RUTHERFORD,

State Accountants, under act of 15th Jan., 1857.

TABLE F.

A LIST of lands belonging to the State of Arkansas, being lands purchased by her from bank debtors; also, list of negroes, etc., mortgaged to the State Bank by her debtors.

Date of deed, mortgage, etc.	Ry whom deeded to the bank.	$\frac{1}{4}$ or $\frac{1}{2}$ of $\frac{1}{4}$ sec.	$\frac{1}{4}$ or $\frac{1}{2}$ of sec.	No. of section.	Township.	Range.	No. of acres.	Cost of land to the bank.	No. of negroes mortgaged.	Value of negroes mort., and perso- nal property.	REMARKS.
April 18, 1841	John C. Johnson.							\$.....	3	1500 00	Bob, Betsy and Solomon, a child, mort. to pay said debt to bank. The bank made some arrangement with Johnson about the negroes—but no evidence in bank as to its exact extent, that we have been able to find.
April 6, 1841	Wm. Cummins..	und. half ne	27	7	s	5	w	160 00	7		The lands in Arkansas co. are situate on and near the Arkansas river. The tract in Phillips co. is on or near the Mississippi. Names and ages of the negroes mort., are as follows: Ben, 30; Charles, 30; Napoleon or Jack, 20; Bill, 45; Violet, Bill's wife, 35; two children aged from 5 to 7 years: the mort. also embraces $\frac{2}{3}$ interest in steam saw-mill, erected on the S. $\frac{1}{2}$ sec 36, in T. 3 S., R. 3 E., in Phillips co., together with $\frac{2}{3}$ of the teams, tools and fixtures attached to the mill; and of all lumber on hand.
	same ..	sw frl	23	7		5		128 02			
		se frl	23	7		5		43 53			
		nw	26	7		5		160 00			
		fractional	17	7		4		447 85			
		s half	4	8		4		320 00			
		n half	4	8		4		332 74			
		se	33	7		4		160 00			
		c half sw	33	7		4		80 00			
		se	36	8		3		160 00			
		sw frl	32	8		2		157 37			
		und. hf s hf	36	3		3		320 00			
Nov. 4, 1843	Thomas Thorn...								11	9650 00	This deed of mort., executed to the State Bank, and also to J. Pitcher and E. H. Walden, embraced 11 slaves, viz: Jim Blue, aged 28 years; Martha, Jim's wife, 22, Harriet, 2; William, 1; Harry, 24; Mary, Harry's wife, 20; Frances,

April 21, 1845	Wm. B. Borden, } sheriff.	part nw frl 11	1 n 12 w	2 50	52 00	.....
Oct. 16, 1846	P. T. Crutchfield.	s frl hf nw } & s hf ne... } w half 26	36 1 11 3 s 10	149 35 320 00	6666 66	.....
April 25, 1845	Jas. Lawson, sh'ff.	fractional 5	1 11	475 98	2056 18	.....
Nov. 1, 1848	John L. Williams	.....	.....	.....	1500 00	.....
June 10, 1843	W. L. McGuire } & S. H. Hempstead and wife.	e hf nw 8 w hf sw 8	13 n 6 13 6	80 00 80 00	1000 00	.....
May 28, 1856	H. M. Rector....	se nw 1 e hf sw 1 w hf se 13	1 s 14 1 14 1 14	39 89 80 00 80 00	1600 00	.....

3; Ben, 33; and his wife, Nancy, 30; to secure the pay'nt of said debt to the bank. Thorn left Arkansas for Texas about the time his note to the bank fell due, carrying with him the negroes mentioned in the deed of trust to the ba'k. Securities are dead; their estates insolvent. Debt lost. Sold under execution, issued on judgment rendered in Pulaski circuit court, on the 4th July, 1841, in favor of the State Bank, against D. McDonald, E. L. Johnson and R. C. Hawkins, for \$250, with 10 per cent. interest till paid. The land is adjoining the city of Little Rock.

The bank took these lands in pay'nt of part of Mr. C.'s indebtedness. The deed also embraces *three* town lots. The bank paid for the lands and lots \$6,666 66. These 2 tracts of land have been sold, and the proceeds \$1,015, applied to the Curran decree.

The bank purchased this land at sheriff's sale, on an execution in favor of Badgett, surv'r of McLain & Badgett. The bank books show that B. received a credit in bank of \$909 18 for the land, besides the \$400 paid for it at the sale. Brownfield, also, received a credit in bank for \$752. These am'ts make the land cost the bank \$2,056 18. This tract of land was afterwards sold by the marshal on execution, in favor of the U. S., on judgment against the bank. We have no evidence what it sold for.

This mort. was given on the printing press and material, consisting of types, cases, chases, etc., of the newspaper called the "Batesville Eagle." Mortgage foreclosed, and property sold for \$600.

Mr. McGuire sold these 2 tracts of land to the bank, to pay part of his debt due the Batesville branch, and made the deed to Mr. Hempstead through mistake. Mr. H. deeded the land to the state. McGuire land sold under Curran decree in sec. 8, T. 13 N., R. 6 W.; sold with town lots in Batesville.

These 3 tracts taken in payment of bank debt of H. M. Rector.

F—CONTINUED.

Date of deed, mortgage, etc.	By whom deeded to the bank.	$\frac{1}{4}$ or $\frac{1}{2}$ of $\frac{1}{4}$ sec. $\frac{1}{4}$ or $\frac{1}{2}$ of sec.	No. of section.	Township.	Range.	No. of acres.	Cost of land to the bank.	No. of negroes mortgaged.	Value of negroes mort., and perso- nal property.	REMARKS.
Nov. 15, 1856	David B. Greer.....	e half 10	14 s	5 w	320 00	700 00	.....	.....	.....	This tract of land taken in payment of bank debt. Names of negroes: Sam, James, Maria, Jefferson, Harrison, Mira and altimore. The negroes have been sold for a small sum under execution by the sheriff, and run off. Debt lost.
Feb. 17, 1845	Wm. Moore, deed from sheriff of Inde- pendence county...}	.....	.....	.....	.....	.....	.....	7	3243 00	

F--CONTINUED.

A LIST OF LANDS *belonging to the State of Arkansas, being lands purchased by her from Bank debtors.*

Date of deed.	By whom deeded to the bank.	$\frac{1}{4}$ or $\frac{1}{2}$ of $\frac{1}{4}$ sec.	$\frac{1}{4}$ or $\frac{1}{2}$ of sec.	No. of section.	Township.	Range.	No of acres.	Cost of land to the bank.	REMARKS.
Jan. 13, 1848	William H. Patterson....		ne	5	3 n	4 e	160 00	2,686 00	These two tracts sold by land agent at Helena, 20th Oct., 1854. And afterwards sold under Curran decree to O. B. Caldwell, for \$715.
	same		nw nw	4	4	4	40 00		
April 5, '47..	J. Lee and F. W. Desha..		nw	32	14	5 w	160 00	1,929 00	N. W. sec. 32, sold under Curran decree, together with other lands and town lots in Batesville, for \$511 61.
Sept. 3, '47..	David W. Lowe.....		ne	11	13	4	160 00	3,500 00	Town lots are included in this deed. N. E. sec. 11, sold under Curran decree, with lots in Batesville.
October 3, '47	Thomas O. Marr.... lot	No. 2, nw fr		3	18	1 e	98 48	3,000 00	{ Sold under Curran decree against bank for \$90. do do do \$200. do do do \$80. S. E. frl sec. 34, sold under Curran decree to F. W. Desha for \$194. [decree vs. bank for \$310. S. W. frl sec. 34, T. 12, N., R. 3 W., sold under Curran N. W. frl sec. 34, T. 12 N., R. 3 W., sold under Curran decree to Brooks and Claiborne for \$254. Sold under Curran decree for \$361 50 to J. Wells in '55.
July 8, '45..	G. W. Seaborn & M. W. Izard	sw frl		18	5	4	40 00	4,362 00	
same	same	se frl		18	5	4	48 55		
same	same	frl part ne		27	5	3	66 00		
same	same	e part ne frl		18	5	4	103 11		
July 1, '48..	Edward P. McGuire.....	se frl		33	12	3 w	300 00	3,957 00	
same	same	sw frl		34	12	3			
same	same	nw frl		34	12	3			
Sept. 3, '49..	Emzy Wilson.	e hf sw		21	6	17	80 00	1,200 00	Sold under Curran decree for \$361 50 to J. Wells in '55.
October, 1850	John Robins.....	nw		33	2	9	160 00	5,046 00	These 3 tracts sold under Curran decree vs. bank for \$130.
same	same	w hf ne		33	2	9	80 00		
same	same	w hf se		33	2	9	80 00		
Nov'r, 1847.	Anthony H. Davies.....	w frl hf		5	17 s	1	330 00	7,350 00	These two tracts of land, W. frl $\frac{1}{2}$, sec. 5 and sec. 6, sold under Curran decree for \$560.
same	same	section		6	17	1	640 00		
May 30, '49.	William Adams.....	ne nw		17	9 n	23	40 00	247 92	

June 11, '46.	Thomas S. James.....	ne 27 6 s 9 w	160 00	870 00	E 1/2 NE. W 1/2 NE and E 1/2 NW. sec. 27, T. 6 S., 9 W., sold under Curran decree against the bank for \$400.
same	same	e hf nw 27 6 9	80 00		
Jan. 21, '45.	Rosemore Vassiere	sw 20 10 1	160 00	1,600 00	Sold by land agent at Helena, April 17, 1855, for \$200.
Nov. 24, '45.	Leavitt and Wilson	ne frl 29 10 1 e	329 00	1,000 00	
same	same	e half nw 29 10 1	507 00		
same	same	sw frl 29 10 1			
same	same	sw frl 20 10 1			
same	same	fractional 7 10 1			
same	same	se frl 27 10 1			
April 20, '44.	Sheriff Phillips county....	se frl 5 2 4	125 74	100 00	These two tracts of land sold under the Curran decree for \$25. There was a tax title on these tracts when they were sold, which incumbered the title so as to prevent persons from bidding for them at the sale.
Oct. 1, 1844.	Edward J. Gay	s half 4 14 4 w	320 00	1,920 00	
same	same	se 5 14 4	160 00		
same	Augustus M. Ward.....	e half ne 2 9 n 23	80 00	978 18	
same	same	e half se 31 10 23	80 00		
Feb. 7, 1849	Samuel Adams		100 00	1,000 00	
Jan. 15, 1847	Joseph Gray. 1/3 pt of 5,000 acres, undivided, situate on the waters of Estell's fork of Paint rock and Bean's creek of Elk river, Franklin co., Tenn		1,666 66	6,000 00	
Aug. 15, '44.	Sheriff Independence co..	sw frl 19 13 n 6		890 00	
same	same	n half 19 13 6			
same	same	w half se 19 13 6			
same	same	nw frl 19 13 14			
April 26, '49	Peter T. Crutchfield.....	sw 27 1 14			These five tracts of land sold under Curran decree against the bank for the sum of \$500.
same	same	w half nw 27 1 14			
same	same	se 28 1 14	525 00	3,400 00	
same	same	s half ne 28 1 14			
same	same	w frl hf nw frl 34 1 14			
April 5, 1849	S. D. Blackburn.....	e hf nw 3 3 14	80 00		These four tracts of land sold under Curran decree on 15th November, 1854, for \$600, to J. G. Fletcher.
same	same	ne 3 3 14	87 75	2,100 00	
same	same	ne se 3 3 14	40 00		
same	same	n half se se 3 3 14	20 00		
March 31, '45	Samuel Adams	w frl half 21 9 23			These three tracts sold by land agent 22d March, 1856, for \$497 98.
same	same	sw se 21 9 23	398 39	5,100 00	
same	same	ne frl 28 9 23			

F—CONTINUED.

Date of deed.	By whom deeded to the bank,	$\frac{1}{4}$, or $\frac{1}{2}$ of $\frac{1}{4}$ sec.	$\frac{1}{4}$ or $\frac{1}{2}$ of section.	Section.	Township.	Range.	No. of acres.	Cost of land to the bank.	REMARKS.
Oct. 23, 1844	W. L. Weddington.....		ne 14	16	n 32	w	160 00	1,647 67	{ W hlf. NE sec. 14, sold by land agent Nov. 16, 1855, for \$100, and E hlf. NE sec. 14, sold same day for \$156 00.
	same		nw se 14	16	32		40 00		{ NW of SE sec. 14, sold by land agent Nov. 17, 1855, for \$50 00. <i>Reported as sold twice.</i>
	same		w half se 11	16	32		80 00		{ W hlf. SE sec. 11, sold by land agent Nov. 17, 1855, for \$100.
	same		e half sw 11	16	32		80 00		{ E hlf. SW sec. 11, sold by land agent Nov. 17, 1855, for \$100.
Aug. 21, '45	same		e half se 9	14	32		80 00	4,184 00	{ These two tracts of land sold under Curran decree on Nov. 15, 1854, for \$1,010 to Philip Trapnall.
March 30, '49	L. Gibson and others		sw 33	2	12		160 00		
same	same		ne se 32	2	12		40 00		
Aug. 14, '48	Sheriff Crawford co.....		nw 23	8	31			20 00	These 5 tracts sold by land agent Nov. 12, 1855, for \$490.
same	same		sw frl 23	8	31				
same	same		ne 22	8	31		392 20		
same	same		e frl half 22	8	31				
same	same		se frl 22	8	31				
Jan. 26, 1844	David Walker, trustee....		w half sw 14	16	30		80 00	6,000 00	 Sold by land agent Nov. 16, 1855, for \$100.
same	same		w half nw 23	16	30		80 00		
same	same		ne 22	16	30		160 00		
same	same		e half sw 22	16	30		80 00		
same	same		sw sw 22	16	30		40 00		
same	same		n half 27	16	30		320 00		
same	same		w half sw 27	16	30		80 00		
same	same		se 22	16	30		160 00		
Feb. 30, 1845	W. S. Oldham.....		e half nw 34	16	30		80 00		

same	same	se se	27 16	30	40 00	Sold by land agent Nov. 16, 1855, for \$60.
same	same	e half ne	8 16	30	80 00	same same same \$100.
same	same	sw	32 20	30	160 00	same same 20, same \$200.
same	same	e half nw	14 20	34	80 00	{ Sold by the land agent Nov. 20, 1855, for \$100.
March 31, '45	Nicholas Spring	w half ne	6 19	30	80 00	
Feb. 24, '45	same	sw	34 20	30	160 00	{ Sold by the land agent Nov. 20, 1855, for \$200 SW 1/4 sec. 34.
March 26, '45	James B. Harris	se	25 20	31	160 00	
March 18, '44	Jenkins and Kelly	e half ne	36 8	29	163 00	{ Sold by the land agent for \$677 20, Nov. 20, 1855.
same	same	e half se	36 8	29	761 74	
Nov. 28, '43	C. W. Dean	s half	23 16	30	639 90	{ 6,964 45
same	same	n half	26 16	30	80 90	
May 12, 1845	D. G. Harris	w half sw	20 18	28	100 00	{ Sold by land agent Nov. 16, 1855, for \$100.
Feb. 20, 1845	Miles T. Scott and wife	se	29 10	29	520 00	
same	same	e hlf ne	29 10	29	1,542 16	{ These five tracts of land were sold under execution against the bank, and bought by Drennen and Humphrey.
same	same	w hlf nw	28 10	29		
same	same	sw	29 10	29		{ Sold by land agent at Clarksville, April 13, 1857, for \$2 95 per acre.
same	same	ne se	21 10	29		
Feb. 7, 1845	Samuel Adams	ne ne	24 9	23	40 00	{ Sold by land agent at Clarksville, April 13, 1857, for \$2 95 per acre.
same	same	nw ne	24 9	23	40 00	
same	same	pt s end e hlf sw	14 9	23	10 00	{ Sold by land agent at Clarksville, April 13, 1857, for \$2 95 per acre.
same	same	pt s side se	13 9	23	10 00	
March 8, '58	John Wassell	nw	10 4	9	160 00	{ 5,560 00
same	same	sw	10 4	9	160 00	
same	same	sw	3 4	9	160 00	{ These tracts of land sold under Curran decree against State Bank for \$1,400.
same	same	e hlf ne	9 4	9	80 00	
same	same	e hlf se	9 4	9	80 00	{ NW sec. 29, T. 4 N., R. 3 E., sold under Curran decree against bank, for \$200.
same	same	e hlf se	4 4	9	80 00	
Sept. 5, 1847	Wm. K. Sebastian	nw	29 4	3 e	160 00	{ 968 00
April 5, 1849	Ebenezer Walters	sw	21 4 s	9 w	160 00	
same	same	w hlf nw	21 4	9	80 00	{ 1,000 00
—, 1854	William Field and wife	nw	32 2 n	13	160 00	
same	same	sw nw	22 1 s	14	40 80	{ Sold under Curran decree against bank, the SW NW sec. 22, T 1 S. 14 W., and the W hlf. SW hlf. sec. 22, T. 1 S. 14 W., together for \$100.
same	same	w hlf sw	22 1	14	80 00	

F—CONTINUED.

Date of deed.	By whom deeded to the bank.	$\frac{1}{4}$, or $\frac{1}{2}$ of $\frac{1}{4}$ sec. $\frac{1}{4}$ or $\frac{1}{2}$ of sec.	No. of section.	Township.	Range.	No. of acres.	Cost of land to the bank.	REMARKS.
March 27, '44	Thomas Durr and wife ...	s of lake ne	11	10 s	1 w	72 38	1,152 50	This was a mortgage. Mortgage foreclosed, and land bought by W. W. Dorriss, bank att'y, for \$100, in 1846. Dorriss' estate had it in possession over 10 years, and paid the taxes on it during the time. It was ascertained in 1857, that it was still subject to the bank debt. Mrs. Roane, the guardian of Mr. Dorriss' children, agreed to pay the balance of the debt due at the time of the sale of the land, if the bank would transfer the lien under the mortgage held by her. The receiver accepted Mrs. Roane's proposition, and the matter was settled and compromised, by Mrs. Roane's note for \$1,260, due June 1, 1858.
same ..	same	e half nw	11	10	1	78 23		
Jan. 3, 1845.	William Skelton and wife.	se	7	16 n	30	160 00	2,325 37	The 5 tracts sold by the land agent Nov. 16, '58, for \$460.
same ..	same	e half sw	7	16	30	80 00		
same ..	same	se nw	7	16	30	40 00		
same ..	same	nw ne	18	16	30	40 00		
same ..	same	ne ne	18	16	30	40 00		

F—CONCLUDED.

A LIST of town lots belonging to the State of Arkansas, being lots purchased by her from debtors to the State Bank.

Date of deeds.	Names of grantors.	No. of town lots.	No. of block.	Town in which lots are situate.	Cost of lots & buildings.	REMARKS.
Sept. 3, 1847	David W. Lowe	1, 2, 3, 4, 5, 6, 7, 8	8	Batesville	\$ 3500 00	{ This is a quit-claim deed for lots and lands, and the consideration includes the price paid for the N. E. sec. 1, in T. 13 N., R. 4. W. The 8 lots in block 8, sold under Curran decree, with other lots and lands for the sum of \$511 61.
same ..	same	1	9	same		
March 10, '37	Sh'ff Independence co.	4, 5, 6, 7	13	Batesville	800 00	{ Franklin House is situate upon these lots. This am't includes cost of fri. sec. 5, T. 1 S., R. 11 W. Anthony House and lots. Sold to John Collins. These lots were sold to the bank by S. S. Sanger, and the deed made to the state by E. N. Conway, who sold them to Sanger. Sold under Curran decree to Jas. A. Hutchings, for \$180. These three lots have been reconveyed to Crutchfield. Banking house at L. Rock. This prop'ty is in litigation. It was sold under Curran dec. Nov. 15, '54, for \$100. These lots were taken to pay debt of J. W. Johnston. Pike was his security. The lots were afterwards sold to W. B. Wait for \$675, and applied to Curran decree. Sold to Wm. E. Ashley Nov. 15, '54, for \$1,205, and applied to Curran decree. Sold to Fulton & Fatherly, Nov. 15, 1854, for \$1,210, and applied to Curran decree. These lots sold to Krebs in 1848, for \$1,300 in specie. Sold by land agent in 1855, for \$175. Sold by land agent in 1855, for \$9.
June 20, '45.	F. W. Trapnall & wife	1, 2, 3, 4 & ch lot 5 (e Q. L.)	2	Little Rock	2000 00	
Aug. 7, 1844	Sheriff Pulaski county	7, 8	31	same	400 00	
Sept. 7, 1844	same	7, 8, 9, 10, 11 and 12	2	same	15264 93	
Feb. 10, '49..	Elias N. Conway	1, 2, 3	4	Rectortown	300 00	{ These three lots have been reconveyed to Crutchfield. Banking house at L. Rock. This prop'ty is in litigation. It was sold under Curran dec. Nov. 15, '54, for \$100. These lots were taken to pay debt of J. W. Johnston. Pike was his security. The lots were afterwards sold to W. B. Wait for \$675, and applied to Curran decree. Sold to Wm. E. Ashley Nov. 15, '54, for \$1,205, and applied to Curran decree. Sold to Fulton & Fatherly, Nov. 15, 1854, for \$1,210, and applied to Curran decree. These lots sold to Krebs in 1848, for \$1,300 in specie. Sold by land agent in 1855, for \$175. Sold by land agent in 1855, for \$9.
Oct. 16, '48 .	Peter T. Crutchfield..	7, 8, 9	40	Little Rock	.....	
June 12, '48.	Wm. G. Thornton....	1, 2, 3	79	same	650 00	
Original cost	of these lots and buildings, known as the state banking	house		house	28000 00	
Nov. 2, '48..	Albert Pike	10, 11, 12	101	Little Rock	3700 00	{ These three lots have been reconveyed to Crutchfield. Banking house at L. Rock. This prop'ty is in litigation. It was sold under Curran dec. Nov. 15, '54, for \$100. These lots were taken to pay debt of J. W. Johnston. Pike was his security. The lots were afterwards sold to W. B. Wait for \$675, and applied to Curran decree. Sold to Wm. E. Ashley Nov. 15, '54, for \$1,205, and applied to Curran decree. Sold to Fulton & Fatherly, Nov. 15, 1854, for \$1,210, and applied to Curran decree. These lots sold to Krebs in 1848, for \$1,300 in specie. Sold by land agent in 1855, for \$175. Sold by land agent in 1855, for \$9.
Dec. 4, '47..	same	1, 2, 3, 10, 11, 12	7	same	3500 00	
Aug. 4, '47..	Luther Chase & wife..	1, 2, 3, 4, 5, 6, 7, 8, 9..	59	same	1800 00	
March 12, '47	Ebenezer Walters....	5, 6	3	same	2000 00	
March 31, '45	Nicholas Spring	102, 103		Bentonville	500 00	{ These three lots have been reconveyed to Crutchfield. Banking house at L. Rock. This prop'ty is in litigation. It was sold under Curran dec. Nov. 15, '54, for \$100. These lots were taken to pay debt of J. W. Johnston. Pike was his security. The lots were afterwards sold to W. B. Wait for \$675, and applied to Curran decree. Sold to Wm. E. Ashley Nov. 15, '54, for \$1,205, and applied to Curran decree. Sold to Fulton & Fatherly, Nov. 15, 1854, for \$1,210, and applied to Curran decree. These lots sold to Krebs in 1848, for \$1,300 in specie. Sold by land agent in 1855, for \$175. Sold by land agent in 1855, for \$9.
March 29, '45	John Smith	44		same	1200 00	
March 27, '45	John Spring	45		same	300 00	

March 28, '45	Christopher S. Pace ..	87 .....	.....	Bentonville ..	118 50		
Feb 22, '45	James H. Wallace ..	53 .....	.....	same ..	353 99	Sold by land agent, in 1855, for \$175.	
March 26, '45	James B. Harris	88 .....	.....	same ..	600 00	Sold by land agent, in 1855, for \$398 50.	
April 19, '48	D. G. Harris	2, 3, 4.....	31	Fayetteville.	50 00	Sold by land agent, in 1855, for \$655.	
March 1, '38	M. Leeper	Block and buildings thereon	15	same ..	6917 40	{ Sold by land agent, in 1855, for \$5. This property had been previously sold under execution for about \$800.	
Feb. 20, '45..	W. S. Oldham.....	Part of lot No. 6.....	30	same ..	.....	{ This fraction of a lot was included in deed for lands from the same party. Sold by land agent in 1855, for \$65. Also sold under Curran decree vs. bank for \$100.	
Nov. 24, '45	Leavitt & Wilson	1, 2, 3, 4, 5, 6.....	1	Napoleon. .	.....	{ The cost of these lots to the bank is included in the consideration paid same parties for lands. Title is doubtful.	
same ..	same ..	7, 8, 9, 10, 19, 20, 22, 23, 24, }	3	same ..	.....		
same ..	same ..	25, 26, 14, 15, 16, 17, & 18, in }					
same ..	same ..	9, 14, 15, 16, 21, 23, in					
same ..	same ..	5, 8, 10, 11, 14, 15, 16, 17, 18, 19, in }					
May 4, '50..	Jarett Wayland.....	1, 2, 3, 4.....	31	Pocahontas..	1446 00	[bank funds. Sold to Messrs. Blacks, who have paid \$295 in Arkansas	
April 20, '45	Sheriff Phillips county	493, 494, 495, 496, 497 .....	.....	Helena	10 00	Title doubtful.	
	Frederic Notrebe, nw pt	block in Ark. Post, 1 acre .....	.....	Post of Ark's .....	.....	{ Deeded to the bank without any charge, for the reason that the establishment of a banking house there would increase the value of adjoin'g property owned by Mr. F.	
Nov. 22, '43.	R. C. & W. J. Byrd..	1, 2, 3, 4, 5, 6, (e Quapaw L.)	2	Little Rock.	16560 38	This is a mort. See "Note No. 48," of principal bank.	
Dec. 3, '50 ..	L. A. Whiteley.....	7, 8, 9, 10, 11, 12	103	same ..	5624 96	{ Mort. foreclosed and bought by the state. Sold under decree in favor of Curran for \$1,500, and half the am't applied to that decree, and the other half to execution in favor of John W. Newton et al. vs. The State Bank.	
Feb. 6, '53 ..	Robert Bates et al....	2, 3, 4, 8	9	Batesville...	6225 00	{ Upon which the Bates tavern is situate. The property has been sold under the Curran decree.	
Aug. 9, '51..	C. B. Magruder.....	3 and 4	37	Little Rock.	725 40	{ Sold under Curran decree for \$100, and half applied to it, and the other half to execution in favor of John W. Newton, et al.	

OFFICE OF THE FINANCIAL RECEIVER,
OF THE BANK OF THE STATE OF ARKANSAS,
Little Rock, Arkansas, 10th October, 1858.

WM. M. GOUGE,
A. H. RUTHERFORD,
State Accountants under act of 15th Jan'y, 1857.

TABLE G.
SUMMARY—Of collections exclusive of lands.

	Little Rock.	Fayetteville.	Batesville.	Arkansas Post.	Total.
June, 1843, to 1st October, 1844.....	\$ 84,209 45	\$	\$ 24,181 48	\$ 17,727 67	\$ 126,118 60
1st October 1844, to 1st October, 1846.....	82,769 48	56,929 10	9,155 04	24,414 19	173,267 81
1st October, 1846, to 1st October 1848.....	157,307 90	58,577 49	16,336 17	35,009 80	267,222 36
1st October, 1848, to 1st October, 1850.....	89,409 18	51,541 95	3,857 32	33,756 07	178,564 52
1st October, 1850, to 1st October, 1852.....	67,492 44	16,038 78	12,278 08	48,009 63	143,818 93
1st October, 1852, to 1st October, 1854.....	38,191 87	13,665 96	3,189 16	38,658 62	93,705 61
1st October, 1854, to 1st October, 1856.....	29,569 87	4,638 86	3,436 66	40,350 46	77,995 85
1st October, 1856, to 1st October, 1858.....	27,696 13	.....	3,412 54	5,870 79	36,979 46
Total.....	\$576,646 32	\$201,392 14	\$75,846 45	\$243,788 23	\$1,097,673 14

The collections at Little Rock, up to 1st October, 1852, are, according to the statements rendered by Messrs. Crease, Thornton and Ross, financial receivers. After that date, according to the books of that office.

The collections at Fayetteville and Batesville, to 1st October, 1848, and at the Post of Arkansas to 1st October, 1846, are according to the books of those branches. For subsequent dates, according to the books at Little Rock.

OFFICE OF THE FINANCIAL RECEIVER
OF THE BANK OF THE STATE OF ARKANSAS,
Little Rock, Arkansas, 10th October, 1858.

WM. M. GOUGE,
A. H. RUTHERFORD,
State Accountants under act of 15th Jan'y, 1857.

TABLE II.
COLLECTIONS—in lands.

	Little Rock.	Fayetteville.	Batesville.	Arkansas Post.	Total.
June 1843, to October 1, 1844.....	\$ 32,335 31	\$	\$ 1,890 00	\$ 3,072 52	\$ 37,297 83
October 1, 1844, to October 1, 1846..	12,266 00	42,405 76	.....	3,470 00	58,141 76
October 1, 1846, to October 1, 1848.....	26,864 00	.....	12,386 00	7,350 00	46,609 00
October 1, 1848, to October 1, 1850.....	24,144 58	450 00	1,446 00	.....	26,040 58
October 1, 1850, to October 1, 1852.....	6,350 36	.....	.....	.....	6,350 36
October 1, 1852, to October 1, 1854.....	.....	.....	6,225 00	.....	6,225 00
October 1, 1854, to October 1, 1856.....	.....	.....	.....	.....	.....
October 1, 1856, to October 1, 1858.....	2,300 00	.....	.....	.....	2,300 00
Total.....	\$104,260 25	\$52,855 76	\$21,947 00	\$13,892 50	\$182,955 53

OFFICE OF THE FINANCIAL RECEIVER
OF THE BANK OF THE STATE OF ARKANSAS,
Little Rock, Arkansas, 10th October, 1858.

WM. M. GOUGE,
A. H. RUTHERFORD,
State Accountants under act of 15th Jan'y, 1857.

TABLE I.
Collections in Money and Lands.

	Little Rock.	Fayetteville.	Batesville.	Arkansas Post.	Total.
June, 1843, to October, 1844.....	\$ 116,544 76	\$	\$ 26,071 48	\$ 20,800 19	\$ 163,416 43
October 1, 1844, to October 1, 1846..	95,035 48	99,334 86	9,155 04	27,884 19	231,409 57
October 1, 1846, to October 1, 1848.....	184,171 90	58,577 49	28,722 17	42,350 80	313,832 36
October 1, 1848, to October 1, 1850.....	113,553 56	51,991 95	5,303 32	33,756 07	204,604 90
October 1, 1850, to October 1, 1852.....	73,842 80	16,038 78	12,278 08	48,009 63	150,169 29
October 1, 1852, to October 1, 1854.....	38,191 87	13,665 96	9,414 16	38,658 62	99,930 61
October 1, 1854, to October 1, 1856.....	29,569 87	4,638 86	3,436 66	40,350 46	77,995 85
October 1, 1856, to October 1, 1858.....	29,996 13	.....	3,412 54	5,870 79	39,279 46
Total.....	\$680,906 37	\$244,247 90	\$97,793 45	\$257,680 75	\$1,280,628 47

OFFICE OF THE FINANCIAL RECEIVER
OF THE BANK OF THE STATE OF ARKANSAS,
Little Rock, Arkansas, 10th October, 1858. }

WM. M. GOUGE,
A. H. RUTHERFORD,
State Accountants under act of 15th Jan'y, 1857.

Table J.**LIST OF OFFICERS**

OF THE

BANK OF THE STATE OF ARKANSAS.**OFFICE AT LITTLE ROCK.****PRESIDENTS ELECTED.**

Major JACOB BROWN, November 2, 1836.

Major WILLIAM FIELD, December 11, 1837.

S. M. RUTHERFORD, February 22, 1842.

CASHIER—JOHN H. CREASE.

DIRECTORS:*Elected November 2, 1836.*

J. DeBaun,
S. M. Rutherford,
Edward Cross,
Wood Tucker,
D. G. Eller,
E. A. Moore,

David Fulton,
John McLain,
William B. Wait,
R. C. Byrd,
William Field,
Chester Ashley.

Elected December 16, 1837.

C. P. Bertrand,

L. Reardon.

Elected November 23, 1838.

David Fulton.
S. M. Rutherford,
P. T. Crutchfield,
C. P. Bertrand,
William Gilchrist,
Lorenzo Gibson,

J. B. Galloway,
Thomas Thorn,
J. W. Johnston,
L. Reardon,
F. W. Trapnall,
John Adamson.

Elected December 22, 1840.

P. T. Crutchfield,
S. H. Hempstead,
R. W. Johnson,
L. Reardon,
Thomas Thorn,
Samuel Weaver,

William Gilchrist,
S. M. Rutherford,
Edward Dunn,
Charles Caldwell,
J. C. Johnson,
C. P. Bertrand.

EXECUTIVE RECEIVER:

S. M. Rutherford, elected February 2, 1843.

FINANCIAL RECEIVERS:

J. H. Crease, elected February 2, 1843.

Abner E. Thornton, elected January 3, 1845.

do do do do December 18, 1846.

John M. Ross, January 9, 1849, to August 31, 1854.

P. T. Crutchfield, appointed September 3, 1854.

James F. Fagan, elected January, 1855.

Hugh G. Wilson, appointed February, 1857.

ATTORNEYS:

S. H. Hempstead, elected February 2, 1843.

Euclid L. Johnson, elected January 3, 1845.

Lemuel R. Lincoln, elected December 18, 1846.

D. W. Carroll, elected January 9, 1849.

S. H. Hempstead, from 1851 to 1857.

J. W. McConaughey, ex-officio bank attorney, 1857 and 1858.

OFFICE AT FAYETTEVILLE.

PRESIDENTS:

JAMES McKISICK, elected November 3, 1836.

JACOB W. WALKER, elected February 7, 1837, in place of Mr. McKisick, resigned.

JACOB W. WALKER, elected December 16, 1837.

WASHINGTON L. WILSON, elected December 15, 1838.

CASHIERS:

Wm. McK. Ball, elected February 7, 1837.

James McKisick, elected June 4, 1841.

DIRECTORS:

Elected November 3, 1836.

William T. Larremore,
J. Byrnside,
Alfred Wallace,
John Henry,

L. Brodie
William Shelton,
Maurice Wright,
Alfred Henderson.

Philemon Williams.

Elected December 16, 1837.

James McKisick,

Matthew Leeper.

Elected March 3, 1838.

S. G. Sneed,

Bryan H. Smithson.

Elected November 21, 1838.

Elias Rector,
S. G. Sneed,
L. Brodie,
Alfred Wallace,
James McKisick,

William Skelton,
Mark Bean,
Washington Duval,
M. Leeper,
B. H. Smithson.

Elected December 22, 1840.

William C. Mitchell,
Henry Brown,
N. Spring,
M. T. Scott,
Emanuel Speagle,

W. Duval,
Isaac Murphy,
Maurice Wright,
C. W. Dean,
James A. Scott,

Samuel Adams.

EXECUTIVE RECEIVER:

D. G. Harris, elected February 2, 1843.

FINANCIAL RECEIVERS:

James McKisick, elected February 2, 1843.

R. P. Pulliam, elected January 3, 1845.

do do do December 18, 1846.

ATTORNEYS:

A. B. Greenwood, elected February 2, 1843.

R. P. Pulliam, appointed October 23, 1843.

Alfred M. Wilson, elected January 3, 1845.

Jonas M. Tebbetts, elected December 18, 1846.

do do do January 9, 1849.

Continued in office till 1855.

OFFICE AT BATESVILLE.

PRESIDENTS:

D. W. LOWE, elected November 2, 1836.

CASHIER:

John Ringgold, chosen November, 1836.

DIRECTORS:

Elected November 3, 1836.

John Miller,	William Moore,
Robert Smith,	C. H. Pelham,
D. J. Chapman;	Joseph H. Egner,
Joseph Anthony,	Laurence Henderson,
John Robinson.	

Elected December 11, 1837.

Aaron W. Lyon,	Andrew Caldwell.
----------------	------------------

Elected March 3, 1838.

Thomas S. Drew,	William Byers.
-----------------	----------------

Elected November 21, 1838.

Daniel J. Chapman,	William Byers,
Charles H. Pelham,	A. W. Lyon,
Joseph H. Egner,	William Moore,
Lawson H. Henderson,	James Boswell,
Nimrod Murphy,	James Robinson,
James Martin.	

Elected December 22, 1840.

James Robinson,	Daniel C. Ruddie,
Henry Neil,	John Miller,
J. C. Aikin,	William McGuire,
John Kyler,	Thomas Hughes,
William Wolf,	Joseph Egner,
Thomas S. Drew.	

EXECUTIVE RECEIVER:

D. J. Chapman, elected February 3, 1843.

FINANCIAL RECEIVERS:

Thomas S. Drew, elected February 3, 1843.

C. B. Magruder, elected January 3, 1845.

W. C. Bevins, appointed early in 1846.

C. D. Cook, elected December 18, 1846.

ATTORNEYS:

Lewis B. Tully, elected February 3, 1843.
 Isaac H. Baker, elected January 3, 1845.
 W. C. Bevens, elected December 18, 1846.
 do do do January 9, 1849.
 Continued till 1857.

OFFICE AT POST OF ARKANSAS.

PRESIDENTS:

T. FARRELLY, elected December 16, 1837.
 SAMUEL MITCHELL, elected December 22, 1840.

CASHIERS:

Eugene Notrebe, resigns April 3, 1838.
 Luther Chase, elected April 25, 1838.
 David Maxwell, appointed February 11, 1841.

DIRECTORS:

Elected December 16, 1837.

Henry J. McKenzie,	Harold Stillwell,
Frederick Notrebe,	James Smith,
George B. Watson, jr.	L. V. Ryan,
John B. McLain,	Reuben Dye,
	Bushrod W. Lee.

Elected March 3, 1838.

John Wilkinson,	David Maxwell.
-----------------	----------------

Elected November 21, 1838.

F. Notrebe,	John Wilkinson,
Harold Stillwell,	S. V. R. Ryan,
David Maxwell,	W. B. Wait,
J. N. Lenox,	Moses Greenwood,
Joab Mitchell,	Samuel H. Davis,
	Harris Cross.

Elected December 22, 1840.

Isaac Taylor,	Moses Greenwood,
James Yell,	T. B. Hanly,
Harris Cross,	E. L. Johnson,
James Smith,	John Clark,
David Maxwell,	Samuel H. Davis,
	J. H. Lenox.

EXECUTIVE RECEIVER.

Samuel Mitchell, elected February 3, 1843.

FINANCIAL RECEIVERS:

Wm. A. Dougherty, elected February 3, 1843.

J. M. Smith, commissioned April 5, 1845.

Mark Mitchell, commissioned March 1, 1847.

ATTORNEYS:

M. W. Dorriss, elected February 2, 1843.

Isaac N. Barnett, elected January 3, 1845.

M. W. Dorriss, elected December 18, 1846.

do do January 9, 1849.

Thomas N. Byers, appointed July 14, 1849.

F. A. James appointed May 26, 1851.

M. L. Bell, appointed October 17, 1853.

NOTES.

In the board of directors, frequent changes took place, through deaths and resignations. For example:

At Fayetteville, February 7, 1837, Mr. Leeper was chosen in place of L. Burnside, who declined to serve; and J. W. Walker was elected president in place of James McKisick, resigned.

May 15, James McKisick was chosen director in place of Philemon Williams, resigned.

December 21, 1838, Thadeus C. Wilson took his seat as a director, in place of whom is not said.

January 18, 1839, Albert B. Anthony is chosen in place of L. Brodie.

January 11, Maurice Wright is chosen in place of Mark Bean.

August 9, M. McClellen is chosen in place of A. B. Anthony.

AT BATESVILLE.

January 30, 1837, A. W. Lyon, in place of John Miller.

January 22, 1838, B. Dickinson in place of A. Caldwell.

March 12, 1838, Isaac Fulsom in place of D. J. Chapman.

" " " Thomas Hughes in place of R. Smith.

April 2, R. Peel in place of T. S. Drew.

April 22, James Boswell in place of B. Dickinson.

January 15, 1839, Thomas Hughes in place of James Martin.

September 23, W. L. McGuire in place of S. Henderson.

October 17, 1840, Mr. Boswell died.

December 7, " Mr. Byers resigned.

Jan. 1, 1841, D. J. Chapman elected in place of Mr. Kyler.

" " S. B. Day elected in place of John Miller.

August 9, A. W. Lyon elected in place of J. C. Ardin.

POST OF ARKANSAS.

October 18, 1838, J. B. McLain resigns.

March 19, 1840, Harold Stillwell resigns.

January 25, " E. L. Johnson elected in place of H. Stillwell.

October 7, 1841, Henry Bradford elected in place of C. F. Notrebe, deceased.

LITTLE ROCK.

June 25, 1838, F. W. Trapnall elected in place of Wm. B. Wait.

July 2, 1838, John W. Johnston elected in place of W. Tucker.

July 22, " P. T. Crutchfield elected in place of R. C. Byrd.

September 25, 1838, L. J. Reardon elected in place of L. Reardon.

October 2, 1839, R. W. Johnson elected in place of J. B. Galloway.

January 12, 1841, John W. Johnston elected in place of R. W. Johnson.

January 11, 1842, J. C. Johnson expelled from the board.

January 18, " Ebenezer Walters elected in place of J. C. Johnson.

March 15, " H. F. Pendleton, elected in place of S. M. Rutherford, chosen president.

TABLE K.

Accounts of the Financial Receivers at Little Rock.

What may be regarded as the cash account (independently of the bill and note account) of the following named financial receivers, swelled to a large sum, including both debits and credits, viz:

A. E. Thornton, from April, 1845, to April, 1849,	\$1,327,449 39
J. M. Ross, from April, 1849, to August, 1854..	1,394,773 42
P. T. Crutchfield, from Sept., 1854, to Feb., 1855,	1,044,083 62
Jas. F. Fagan, from Feb., 1855, to Feb., 1857..	1,687,826 84
H. G. Wilson, from Feb., 1857, to Sept. 30, 1858,	736,813 70
	\$6,190,946 97

The exchanges some of the financial receivers made of bonds and coupons, helped to swell the amount. In all these exchanges, there was liability to error, the more especially as fractional amounts of interest had to be computed. After this was done, the ascertaining of numerous small payments made by individuals on notes discounted, was a work of no small difficulty, and the calculation of interest on notes that remained unpaid, or had been paid only in part, was a tedious operation.

In none of the accounts of Messrs. Ross, Crutchfield, Fagan or Wilson, have any discrepancies of any moment been discovered, but the accounts of Mr. Thornton are curiosities in the art of book-keeping.

Take his "Blotter," or book of original entries, by way of example. Add to his debits the amount he admitted to have received from his predecessor, and add to his credits the amount he passed over to his successor, and we have the following result:

	<i>Receipts.</i>	<i>Payments.</i>
Notes of State Bank and Branches,	\$170,859 81	\$178,632 15
Notes of Real Estate Bank and branches	388,094 22	141,061 53
State bonds and coupons.....	147,955 86	346,056 53
Specie	16,687 40	18,303 83
Uncurrent money	1,125 23	1,050 00
	\$724,722 52	\$685,104 03

According to this account, an account made out from Mr. Thornton's own entries, in his own hand writing, in his own "Blotter," he paid away nearly \$8,000 in State Bank notes, upwards of \$1,600 in specie, and \$198,000 in bonds and cou-

pons, more than he received, and yet there appeared to be due from him upwards of \$39,000.

In his "Blotter" his accounts are kept apparently with great exactness. If a debtor paid in \$5 in State Bank notes, and \$10 in Real Estate Bank notes, Mr. Thornton made distinct entries of these amounts. But the truth is, that his whole system of book-keeping was a system of fictions. As was shown by a committee of the General Assembly in 1848,—'9, he traded with himself in state bonds and Arkansas bank notes, and his entries in his books were made to suit himself.

A part of his apparent deficit, as stated above, was owing to his neglecting to credit himself with the state bonds and coupons to the amount of \$23,440 18, that he had canceled and filed with the treasurer.

In his "Journal" his accounts, though kept with less minuteness than in his "Blotter," appear to have been kept with more correctness. But even here he neglected to charge himself with some important items, as, for example, with seven five per cent. bonds for \$1,000 each, and with certificates of deposit at the Fayetteville branch for \$7,640, which he had received from his predecessor.

Soon after Mr. Thornton's term of office expired, an elaborate investigation of his accounts was made by his successor, Mr. Ross. The latter discovered that Thornton was a defaulter for the sum of \$14,010 74, which default he had canceled, partly by crediting himself twice with certain amounts he had paid to bank officers, and partly by not charging himself with certain sums he had received from debtors to the bank. So well as we have been able to ascertain, this was the whole amount of Mr. Thornton's default in these two ways, and this sum of \$14,010 74 he paid over to his successor.

But he was a defaulter in another way. In many instances he had received Real Estate Bank bonds, and failed to charge himself with the interest that had accrued on them while they remained in his hands, which was equivalent to pocketing that amount of interest. From the date he had before him, Mr. Ross calculated that the sum lost in this way by the bank and the state, was \$5,246 85, but his data were very imperfect. The true amount was probably nearer \$10,000.

Whatever the amount was, that was really due on this account, Mr. Thornton did not pay it. And, being threatened with a criminal prosecution for falsifying the indorsements on the bonds, he left the state.

WM. M. GOUGE,
A. H. RUTHERFORD,

State Accountant's under act of 15th January, 1857.

OFFICE OF THE FINANCIAL RECEIVER

OF THE BANK OF THE STATE OF ARANSAS,

Little Rock, 10th October, 1858.

REPORT

OF THE FINANCIAL RECEIVER OF THE BANK OF THE STATE OF ARKANSAS,
MADE TO THE GOVERNOR, 1ST OCTOBER, 1860.

OFFICE OF THE FINANCIAL RECEIVER OF THE BANK
OF THE STATE OF ARKANSAS,
Little Rock, Ark., October 10th, 1860.

His Excellency, ELIAS N. CONWAY,
Governor of the State of Arkansas:

SIR--In compliance with law, I herewith submit my report as financial receiver of the Bank of the State of Arkansas.

In accordance with an act passed by the last General Assembly of the state, I visited, in June and July last, Fayetteville and Batesville, with a view of making collections at those places. I did not succeed in making collections myself, but placed in the hands of special attorneys, for collection, a list of all the claims and judgments due to the bank at each of the above places, that is thought available.

During the two years, ending September 30th, 1860, I have collected from various debtors to the bank, in all the sum of seventeen thousand and seventy dollars and twenty-nine cents, (\$17,070 29.)

Of this amount there were six State Bank bonds, with coupons attached, and one hundred and forty-four detached coupons, amounting in the aggregate, when paid in, to sixteen thousand, six hundred and sixty dollars and forty-eight cents, (\$16,660 48.) These bonds and coupons have been duly canceled and filed in the office of the state treasurer.

On the 30th of September, 1860, I received from William B. Easley, clerk of the circuit court of Pulaski county, the sum of five hundred dollars, (\$500 00), in Arkansas State Bank notes. These had been filed in the clerk's office, and suit brought upon them by John G. Cocks, on the 29th day of November, 1850. By an order of the circuit court of said county, they were turned over to me as financial receiver. After having been duly registered, they were burnt, in the presence of the auditor and treasurer, on the same day they were received.

On the 17th of September, 1860, I filed in the office of the state treasurer, one thousand detached coupons, numbered from 1 to 1,000, inclusive, which had been redeemed by the bank

and canceled several years since, being interest due on State Bank bonds 1st July, 1838. I filed them in the office of the state treasurer, believing that to be the place where they properly belonged.

Of the amount above referred to as being collected, there was:

In specie.....	\$ 143 10
In Arkansas State Bank funds.....	16,927 19

Total	\$ 17,070 29
-------------	--------------

My specie account may be thus stated:

Amount of specie on hand 30th September, 1858.....	\$ 2,003 28
Collected since.....	143 10

Total	2,146 38
-------------	----------

Paid out during the two years ending 30th September, 1860, for various expenses of the office, and for small balances on bonds and coupons (when overpayments were made)...	373 95	373 95
---	--------	--------

Balance on hand	\$ 1,772 43
-----------------------	-------------

The bank paper having been burned, as provided for by law, and the bonds and coupons canceled and filed in the office of the state treasurer, there are no bank notes, bonds or coupons in my office.

On the 1st of October, 1856, my predecessor, taking Mr. Ross' classification of debts due to the bank as a basis for his estimate, supposed that of the amounts then due, not more than \$35,000 could be collected. But between that day and the 1st of October, 1858, the sum of \$37,963 59 was collected, and in the next two years the further sum of \$17,070 29, which added together makes the sum collected since the estimate was made, to be \$55,033 88.

With care and management other amounts may be collected in addition to this.

The building known as the banking house, at the Post of Arkansas, originally cost the state \$15,761 29. But a very small part of this sum can ever be realized for it, as it is much dilapidated and sadly needs repairs. Several persons have made overtures to buy it, but as I was not authorized to sell, and as no provision was made by law for its sale and the making of title to the purchaser, of course these propositions could not be entertained. Under the circumstances I would advise its sale, as it is growing less in value every day, and if a rea-

sonable sum can be obtained for it, it will be that much gained to the state.

By reference to the report of the accountants made in 1858, it will be seen that on the 15th of January, 1847, Joseph Gray transferred to the bank one-third of 5,000 acres of land, near Winchester, in the State of Tennessee. This 5,000 acre tract was a grant from the State of Tennessee to Joseph Gray, Jas. Armstrong and Jesse Sharp. The undivided interest of the said Gray, now belongs to the State of Arkansas, by virtue of the transfer above referred to. This land is situate on the tributary waters of Elk river, and is represented as being valuable. I opened a correspondence with parties in Winchester, Tennessee, in relation to this tract, and Messrs. Estil and Garner, attorneys at law at that place, wrote to me in 1858, that the deed of conveyance from Gray to the State of Arkansas, had been duly recorded, that the land had not been sold for taxes, and that they would attend to the payment of taxes and legal charges thereon. This tract of land is not far distant from a line of railroad, and, apart from its quality of soil, is supposed to be valuable. Under the circumstances, I suggest that some person be authorized to take the matter in charge and sell or otherwise dispose of this tract of land. This can be done by giving such person power to proceed to Tennessee, or to appoint an agent in that state to dispose of it.

The liabilities of the bank, on the 30th September, 1860, consists of 25 five per cent. bonds, and 585 six per cent. bonds, with interest thereon to that date, amounting in the aggregate to the sum of one million, two hundred and eighty-seven thousand, seven hundred and seventeen dollars and fifty cents, (1,287,717 50.) The sums yet to be realized, from collections and sales of real estate, will not be equal to the accruing interest. More has been accomplished within the past six years than it was supposed could possibly be done, and much larger amounts collected than was estimated as available. There is but little left to do, and as the office of financial receiver expires, by operation of law, on the 21st of December next, it may be questionable whether it would be worth while to continue it after that time. Such sums as may be hereafter collected could be paid directly to the state treasurer, who is the eventual recipient, whether collected by a receiver or not.

The history of the bank, and a detail of its affairs were so ably given in the report of the accountants, two years since, that it is needless to refer to them here. A few more fragments of the wreck may be saved, but there will remain over a million of dollars unpaid, after exhausting all of the available *ordinary* assets of the bank. But the state is justly indebted to the bank for the sum of \$373,202 78, of the capital of the bank, withdrawn from the bank, and applied to pay the ordi-

nary expenses of the state, many years ago, under acts of 3d February, 1843, and 10th January, 1845, as will be seen by reference to chapter 167 of Gould's Digest of the Statutes of Arkansas. If this just debt, with 6 per cent. interest thereon, from the 3d February, 1843, be appropriated and paid by the state, it is believed that the State Bank debt, with proper management of the funds appropriated, could all be paid. If this can be accomplished, it will be paying the whole of this bank debt without using any other means than those which are legitimate assets of the bank; and thus a bank, which for the last twenty years has been considered insolvent, will have been made to pay its own debts, and the tarnished honor and credit of the state will be restored.

Very respectfully,

H. G. WILSON, *Financial Receiver of
the Bank of the State of Arkansas.*

REPORT

Of Gordon N. Peay, as Receiver in Chancery of the Real Estate Bank, 30th June, 1860.

OFFICE OF RECEIVER OF R. E. BANK OF ARKANSAS, }
Little Rock, 30th June, 1860. }

His Excellency, ELIAS N. CONWAY,
Governor of the State of Arkansas:

SIR—By direction of the Honorable the Chancellor of Pulaski county, I submit herewith a copy of my report, as receiver of the assets of the Real Estate Bank of Arkansas, embracing the business transactions of this office from the 1st day of October, 1858, (date of my last report to your excellency,) to the 30th June, 1860.

Very respectfully,
 your obedient servant,
 GORDON N. PEAY, *Receiver of*
Assets of Real Estate Bank.

OFFICE OF RECEIVER OF REAL ESTATE BANK, }
Little Rock, Ark., 30th June, 1860. }

To Hon. H. F. FAIRCHILD,
Chancellor of Pulaski county:

The undersigned, receiver of the assets of the Real Estate Bank of Arkansas, respectfully submits the accompanying statements, exhibiting, in a condensed form, the various transactions of his office from the 1st day of October, 1858, to this date.

No. 1—Is a statement of principal and interest upon notes which have been settled in full; showing the amounts paid up to date of the last biennial report on 1st October, 1858, and the amounts which have been received since that date.

No. 2—Is a statement of payments made on notes not yet settled in full, showing the amounts received up to the 1st day

of October, 1858, as per report of that date, and the amounts paid since that date.

No. 3—Is a statement of new notes taken since 1st October, 1858.

No. 4—Is a general statement of cash receipts and payments since 1st October, 1858.

No. 5—Is a statement of State Bank bonds received from the 1st day of October, 1858, to 30th June, 1860.

No. 6—Is a statement of State Bank bonds in hands of receiver on 1st October, 1858, and exhibits the entire balance in his hands at this date, to-wit: the sum of \$237,656 25, after payments made on bonus account due the state.

No. 7—Is a statement of Real Estate Bank bonds received and deposited in the state treasury from the 1st day of October, 1858, to this date.

No. 8—Is a statement of lands taken in payment of debts since the 1st day of October, 1858.

No. 9—Is a statement of lands sold by receiver since the 1st day of October, 1858.

No. 10—Is a recapitulation of sales of lands.

No. 11—Is a statement of balance of Real Estate account.

No. 12—Is a statement of account of bonds issued by the state to the Real Estate Bank.

No. 13—Is a general statement of the liabilities and assets of the bank.

No. 14—Is aggregate statements of receipts, etc., from the date of appointment of receiver, to date.

No. 15—Is a statement of settlement of bonus account with the state.

The collections for the past eight months have been greatly retarded by reason of the difficulty of procuring state bonds, and the material advance in their price, from 45 to 60 cents on the dollar, and none have been in this market for sale during the past season until recently, and too late for the debtors to avail themselves of the facility for purchasing. The aggregate receipts from the 1st October, 1858, to this date, in State and Real Estate Bank bonds and specie, as shown by the statements submitted herewith, is \$312,739 73, and is fully \$40,000 short of the amount that would have been received if bonds could have been purchased during the past season.

By reference to statement No. 11, the court will perceive that there remains unsold 28,242 65-100 acres of the lands mortgaged for stock, and 20,702 68-100 acres of lands, which are not encumbered with the stock mortgages; making together 48,945 33-100 acres, an amount nearly equal to the number of acres which have been sold by the receiver, as shown by statement No. 14, (viz, 49,185 acres,) for the aggregate sum of \$400,894 61. The residue of the lands unsold, the receiver

has estimated, will produce the sum of \$250,000 in bonds. This would seem to be a very low estimate of their value, but when the stock encumbrance as well as the conflict in titles is taken into consideration; it is, in the opinion of the receiver, fully as much as will be realized for them.

The receiver has heretofore shown in his reports to the court the difficulty of effecting sales of the interest of the bank in the lands encumbered with the stock mortgages, and the impracticability of fixing any certain value upon this interest, being a mere possessory right until the 26th day of October, 1861, when the bonds issued to this bank fall due, and the right after that date, to redeem upon the foreclosure by the state or bondholders of the stock mortgages; and it also being impossible for the receiver to estimate with certainty the amount that will be required from each stockholder, or party holding the equity of redemption in the stock lands, to meet the deficit after the assets of the bank are exhausted. And thus a large majority of the applications made to purchase the interest of the bank in these lands are withdrawn as soon as the applicants are informed of the nature of the interest of the bank, and that the receiver cannot inform them the precise amount of the future liability on each tract; and whether a stockholder will be allowed to pay his pro rata upon the deficit, or required to pay the full amount of principal and interest of the stock mortgage, and what course or policy will be adopted by the state in regard to the foreclosure of the stock mortgages, and whether the stockholders and lands mortgaged for stock will be liable for the full amount of principal and interest of the hypothecated bonds, or only for the amount received upon them by the bank, with interest thereon from the date received, and many other questions equally difficult.

In selling the interest of the bank in the stock lands, the receiver has endeavored, in all cases, to obtain for them the principal and interest of the debt due from the stockholder, for money borrowed on stock credit account. In many cases he has sold them for more than the amount, and in others, much less. In some cases, perhaps, a larger price might have been obtained by holding the lands, but as the interest of the bank is daily diminishing as the date of the maturity of her bonds approaches, it was deemed the best policy to sell at the best price that could be obtained.

Statement No. 14 will show the aggregate transactions of this office since the date of the appointment of a receiver by the court.

All of which is respectfully submitted.

GORDON N. PEAY,
Receiver.

NO. 1.

STATEMENT—Of Principal and Interest upon Notes which have been settled in full, showing the amount paid up to date of the last biennial report, on 1st October, 1858, and the amount which has been received since that period.

Date of receipt since 30th September, 1858.	Folio of the Journal entry.	Names of debtors.	Amount of Note.		Received since 30th September, 1858.		Amounts paid prior to 1st October, 1858.	REMARKS.
			Principal.	Interest.	Specie.	Bonds.		
Oct. 1st, '58.	191	Nancy Maulding.....	909 97	1,001 03	.....	1,911 00	.....	
Oct. 11, '58.	191	C. G. Baldwin.....	800 00	73 00	873 00	.....	.....	
Oct. 12, '58.	191	John Drennen.....	1,150 00	529 00	1,679 00	.....	.....	
Nov. 1st, '58	192	R. Thruston.....	300 00	94 00	394 00	.....	.....	
Dec. 23d, '58	194	J. A. L. Purdom.....	195 88	40 47	236 35	.....	.....	
same	194	Smith & Hannah.....	933 33	169 91	1,103 24	.....	.....	
Jan. 15, 1859	195	Bell & Gray.....	1,516 60	111 21	.....	1,627 81	.....	
Feb. 3, "	195	D. P. Godbold.....	1,066 67	62 46	.....	2,195 80	.....	
same	195	same.....	1,066 67		.....	.....	.....	
Feb. 15, "	198	W. H. Patterson.....	1,000 00	1,540 00	.....	2,540 00	.....	
Feb. 23, "	200	Saml. D. Walker.....	20,874 60	15,717 95	.....	14,411 81	22,180 74	
April 1, "	200	Mrs. Julia Roane.....	4,000 00	300 00	.....	4,300 00	.....	
" 7, "	200	H. L. Biscoe.....	333 33	66 67	400 00	.....	.....	
May 7, "	202	H. F. Mooney.....	1,066 67	115 45	.....	1,182 12	.....	
" 10, "	203	Hanger & Moody.....	3,721 00	101 84	.....	3,822 84	.....	
" 13, "	203	J. M. McElroy.....	2,000 00	250 75	2,250 75	.....	.....	
June 9, "	204	J. L. Witherspoon.....	975 00	65 00	.....	1,040 00	.....	

" 13, "	206	M. Bozeman	8,652 78						Of this sum \$5013 89, is chgd to profit and
same	206	same	1,195 61			2,500 00	14,348 89		loss, being compound int. chag'd on debt
" 2, "	207	Moore & Pillow	5,000 00	58 45		558 45			and restated by order of Ch'y Court.
July 1, 1859	208	Wm. W. Andrews	10,000 00			10,000 00			Paid before maturity.
same	208	same	6,400 00			6,400 00			do do do
Aug. 1, '53	211	Moore & Thomas	500 00	41 88		541 88			
" 2, "	212	John Hamiter	4,500 00						
same	212	same	4,500 00	540 00		9,540 00			
Sept. 30, "	214	James Scull	3,333 33			3,333 33			Paid at maturity.
" 30, "	214	D. H. Ross	666 67	70 00		736 67			
" 17, "	217	A. Fowler	2,675 60		2,651 85		23 75		\$23 75 charged to profit and loss.
Oct. 15, "	218	John A. Craig	5,687 00			2,044 07	3,642 93		\$3,642 93 do do do
Oct. 21, "	219	Jonathan West	7,539 59		1,000 00	139 30	6,400 29		\$6,400 29 do do do
Nov. 1, "	219	Wm. W. Andrews	3,411 68			3,411 68			Paid before maturity.
same	220	John W. Williams	2,000 00	140 00		2,140 00			\$16 80 interest—not paid.
Jan. 2, 1860.	221	H. M. Rector	910 35						
same	221	same	910 35	375 18	2,195 88				
Jan. 19, "	222	C. G. Baldwin	800 00	135 07	935 07				
March 13, '60	225	Shall & Starbuck	3,500 00	479 10		7,479 10			
same	225	same	3,500 00						
same	225	David F. Shall	2,000 00	204 44		2,204 44			
" 28, '60	225	same	2,000 00	206 56		2,206 56			
same	226	Joshua Skinner	300 00		300 00				Paid before maturity.
April 9, "	228	Silas Craig	408 94	291 32	700 26				
" 10, 1860	229	Bell & Gray	1,516 60	261 16		1,777 76			
" 26, 1860	229	Wm. F. Moore	2,500 00	64 44		2,564 44			
May 1, "	230	Peter G. Rives	430 00	350 00		780 00			
same	230	James H. Read	319 00			291 67	27 33		Compromised, \$27 33, ch'gd profit & loss.
" 2, "	230	David F. Shall	2,000 00	204 45		2,204 45			
" 8, "	231	J. L. Witherspoon	975 00	6 20		981 20			
" 10, "	232	Hanger & Moody	3,721 00	107 50		3,828 50			
same	232	Peter Hanger	4,333 33	125 19		4,458 52			
same	232	Nancy E. Tollison	3,679 89	109 80		3,789 69			
same	232	Alexander Graves	530 00	48 33		578 33			
June 1, 1860	233	H. P. Smeades	800 00	88 35	888 35				
same	233	Wm. James, sr	295 78	184 82		480 60			

NO. 1--CONCLUDED.

Date of receipt since 30th Sept. 1858.	Folio of the Journal entry.	Names of Debtors.	Amount of Note.		Received since 30th September, 1858.		Amounts paid prior to 1st October, 1858.	REMARKS.
			Principal.	Interest.	Specie.	Bonds.		
June 2, 1860	233	T. B. Haynie.....	1,190 04	3,218 62	.....	5,154 53	.....	Paid by Royston & Scott.
same	233	same	745 87					
" 12, "	234	Estate of John Drennen	1,910 52	578 22	2,488 74	.....	.....	
same	234	same	2,000 00	2,577 32	.....	4,577 32	.....	
		Lewis B. Fort	12,834 61	2,140 60	.....	2,241 06	1,7234 15	
			\$169083 26	\$32,845 74	\$18,906 49	\$124,474 93	\$59,357 58	

June 30th, 1860.

GORDON N. PEAY,
Receiver R. E. Bank.

No. 2.

STATEMENT *Of payments made on Notes not yet settled, showing the amount received up to 1st October, 1858, as per report of that date, and the amounts received since that time.*

Date of receipt since 1st October, 1858.	Folio of Ledger.	Names of Debtors.	Received prior to 1st of October, 1858.		Received since 1st October, 1858.		REMARKS.
			Specie.	Bonds.	Specie.	Bonds.	
Nov. 9, 1858.	20	Henry L. Biscoe.....	520 00	.....	.....	.....	
	28	Henry K. Brown.....	.....	1,413 33	.....	1,000 00	
	40	A. B. Caruthers.....	.....	435 00	.....	.....	
	53	L. B. Cook & J. J. Offutt,	361 00	.....	.....	.....	
April 20, '60.	67	A. H. Davies.....	.....	16,749 48	.....	2,310 65	
May 3, "	85	Fort & Whitfield.....	.....	.....	.....	1,722 36	
April 30, '59.	92	Stephen Gaster.....	.....	30,634 19	.....	12,420 00	
June 1st, "	103	Benjamin F. Hawkins....	.....	.....	.....	4,606 25	
	108	Fleetwood Herndon.....	.....	237 69	.....	.....	
Feb. 1st, 1860	113	B. F. Hempstead.....	.....	.....	.....	6 40	Balance from W. W. Andrews.
	129	Wm. and E. S. Johnson..	.....	1,935 66	.....	.....	
Jan. 1st, '59.	190	D. H. and R. R. Sessions.	.....	.....	1,072 31	.....	
April 1st, '60	190	same.....	.....	.....	5,000 00	.....	
Jan. 9th, '60.	226	Jonathan West.....	.....	.....	101 60	.....	
Feb. 15, '60	235	William E. Woodruff....	.....	11,091 35	.....	3,064 65	
	244	Charles A. Stuart.....	.....	1,490 74	.....	.....	
May 1, 1860.	305	Thomas B. Hanly.....	.....	.....	.....	833 33	
	309	L. L. Johnson.....	.....	1,924 00	.....	.....	
March 19, '59	318	William F. Moore.....	.....	.....	.....	6,000 00	
April 26, '60.	318	same.....	.....	.....	.....	1,694 22	
Sept. 1, '59.	334	Estate of Jesse J. Shell..	.....	.....	1,000 00	.....	From Palmer & Bumpass.

Jan. 15, "	390	Josiah S. McKiel .....	.....	.....	394 69	
	401	Robert P. Rankins.....	.....	2,091 29	.....	
June 23, "	401	Estate of Wm. Yerby....	.....	.....	1,707 70	
	403	T. D. Merrick & Co.....	2,021 10	.....	.....	
Feb. 26, '60.	416	C. G. Baldwin.....	.....	.....	4,238 32	
Jan. 2, "	420	A. C. and H. E. Welbourn,	.....	8,000 00	.....	
Sept. 20, '59.	422	James Scull.....	.....	.....	853 33	
June 1, '60.	437	Abel Warren.....	.....	.....	792 09	
Feb. 15, '59.	402	W. H. Patterson.....	.....	.....	1,425 48	Paid by J. and A. D. McDaniel.
June 12, '60.	.....	Fort & Whitfield .....	.....	.....	2,019 60	
						In Real Estate.
Sept. 7, '55.		Robert P. Rankins.....	.....	.....	.....	\$39,307 00
			\$ 2,902 10	\$ 68,002 73	\$ 15,173 91	\$ 45,089 07
						\$39,307 00

June 30th, 1860.

GORDON N. PEAY,
Receiver.

No. 3.

STATEMENT of New notes taken since 30th September, 1858.

Date of Notes.	By whom executed.	Principal payable in specie.	Principal payable in bonds.	When due.	REMARKS.
November 1, 1858	John W. Williams	.....	2,000 00	November 1, 1859	Given for purchase of lands, and payment secured by mortgage.
same	same	.....	2,000 00	November 1, 1860	
November 29, '58	John Hamiter.	.....	4,500 00	November 29, '59	
same	same	.....	4,500 00	November 29, '60	do do do do do
January 12, 1859.	H. P. Smead	\$ 800 00	.....	January 12, 1860.	
same	same	800 00	.....	do 12, 1861.	do do do do do
March 19, 1859.	Alex. Graves.	.....	530 00	March 19, 1860.	Given for purchase of lands.
May 2, 1859.	R. Osborne.	.....	400 00	May 2, do	Given for purchase of lands, and payment secured by mortgage.
same	same	.....	400 05	do 1861.	
same	Wm. C. Bradley.	.....	500 00	do 1860.	
same	same	.....	500 00	do 1861.	do do do do do
May 5, 1859.	Shall & Starbuck.	.....	3,500 00	May 5, 1860.	
same	same	.....	3,500 00	May 5, 1861.	do do do do do
May 7, 1859.	Thomas Quarles.	.....	588 72	May 7, 1860.	Given for purchase of land.
June 11, 1859.	Wm. W. Andrews.	.....	1,000 00	September 11, '59	Given for purchase of land, and payment secured by mortgage
June 27, 1859.	same	.....	1,000 00	September 27, '59	on lands.
February 25, 1859	Abel Warren.	.....	913 90	February 25, 1860	Given for purchase of land, and payment secured by mortgage.
same	same	.....	913 90	February 25, 1861	
June 17, 1859.	V. B. Izard.	.....	1,600 00	June 17th, 1860.	Given for purchase of land.
" 28, "	Geo. A. Gallagher.	2,618 00	.....	January 1, 1860.	Assumpsit for L. Chase; secured by mortgage.
July 23, "	Thomas C. Smith.	.....	1,080 00	October 1, 1859.	Given for purchase of land, and payment secured by mortgage.
same	same	.....	1,080 00	January 23, 1860	
" 26, "	B. F. Hempstead.	.....	1,008 38	do 26, do.	For land, and secured by mortgage.
" 27, "	James Scull.	300 00	3,415 67	do 27, do.	do do do
" 1, "	Joshua Skinner.	.....	.....	July 1, 1860.	For lot in Helena.

August 1, "	John D. Thomas..	500 00	August 1, 1860..	For land, and secured by mortgage.
same	J. M. Myrick.....	500 00	same	do do do
August 26, 1859..	Wm. W. Andrews..	300 00	January 1, 1860..	do do do
" 29, " ..	Timothy Williams	300 00	August 29, 1860..	Given for purchase of land, and payment secured by mort-
same	same	300 00	do 1861..	gage.
September 6, 1859	Thompson & Polk..	2,909 17	September 6, 1860	do do do do do
same	same	2,909 17	do 1861..	
September 14, '59	F. A. Rector.....	1,240 00	September 14, '60	do do do do do
same	same	1,240 00	do '61..	
September 16, '59	Wm. F. Moore.....	2,500 00	January 1, 1860..	do do do do do
December 3, 1858	David F. Shall.....	2,000 00	do 1859..	
same	same	2,000 00	do 1860..	
same	same	2,000 00	do 1861..	
November 1, 1859	R. A. Brunson.....	3,200 00	April 1, 1860....	Mitchell and Etter security. Given for purchase of lands.
do 15, do	S. A. Witherspoon..	800 00	same	R. A. Brunson security. Given for purchase of land.
September 1, do	Palmer & Bumpass..	1,000 00	same	Assumpsit of part of J. J. Shell's debt.
December 1, do	George C. Watkins	320 00	At one day.....	Given for purchase of land.
December 3, do	Peter Hanger.....	4,333 33	January 1, 1860..	do do do do do
same	same	4,333 33	do 1861..	Given for purchase of land, and payment secured by mortgage.
same	same	4,333 33	do 1862..	
February 13, 1860	L. H. Belser.....	575 75	February 13, 1861	do do do do do
same	same	575 75	do 1862..	
March 10, 1860..	H. P. Crute.....	900 00	March 10, 1861..	do do do do do
same	same	900 00	do 1862..	
March 13, 1860..	George L. Gammel	854 24	do 1861..	do do do do do
same	same	854 24	do 1862..	
Totals.....	\$12,257 98	\$86,380 59		

Principal of notes payable in bonds.....	\$86,380 59
Deduct principal of new notes paid 30th June, 1860,	51,175 01

Balance of principal unpaid 30th June, 1860....	\$35,205 58
---	-------------

Principal of new notes payable in specie.....	\$12,257 98
---	-------------

Deduct principal paid to 30th June, 1860.....	1,100 00
---	----------

Balance of principal unpaid 30th June, 1860....	\$11,157 98
---	-------------

GORDON N. PEAY, *Receiver*
Real Estate Bank.

The foregoing statement of new notes, consists as follows,
viz:

Amount of notes taken in part payment for lands,	\$95,020 57
--	-------------

Note of George A. Gallagher, assumpsit for Luther Chase.....	2,618 00
---	----------

Note of Palmer & Bumpass, assumpsit for Jesse J. Shell	1,000 00
---	----------

Total.....	\$98,638 57
------------	-------------

GORDON N. PEAY, *Receiver*
Real Estate Bank.

NO. 4.

Dr. GORDON N. PEAY, as Receiver of R. E. Bank, in account with Cash.

Date.		In payment of notes.	On purchase of lands; etc., and for rents.	Totals.
October 1, 1858..	To balance of cash on hand this day, as per report.....			\$ 2,275 47
Nov'r 1, do ..	To cash from Richard Thruston	\$ 394 00		394 00
same do ..	do John W. Williams.....		\$ 209 32	209 32
October 4, 1858..	do Alcander Underwood.....		200 00	200 00
do 11, do	do C. G. Baldwin.....	873 00		873 00
do 12, do	do Estate of John Drennen.....	2,000 00		2,000 00
Nov'r 22, do	do T. R. McClintock.....		906 75	906 75
Dec'r 23, do	do J. A. L. Purdom.....	236 35		236 35
same	do Thomas C. Smith.....	1,103 24		1,103 24
January 1, 1859..	do D. H. & R. E. Sessions.....	1,072 31		1,072 31
do 12, do	do H. P. Smead.....		800 00	800 00
Feb'y 7, do	do Absalom Fowler.....	350 00		350 00
April 7, do	do Henry L. Biscoe.....	400 00		400 00
May 15, do	do McElroy & Burt.....	2,250 75		2,250 75
June 15, do	do Chicot county upon scrip (uncurrent money account).....	2,420 00		2,420 00
same	do Rankin & Yerby (costs of suit).....	15 00		15 00
June 28, 1859..	do estate of Luther Chase.....	498 42		498 42
July 26, do	do William Crabtree.....		252 50	252 50
August 1, do	do Absalom Fowler.....	2,301 85		2,301 85
same	do Joshua Skinner.....		300 00	300 00
August 18, do	do William W. Walker.....		120 00	120 00
do 29, do	do Timothy Williams.....		300 00	300 00
Oct'r 15, do	do P. T. Hickman for debt of Jonathan West.....	1,000 00		1,000 00
Nov'r 1, do	do John W. Williams.....		300 00	300 00
do 12, do	do Joshua Skinner.....		100 00	100 00
Dec'r 13, do	do William Dickson.....		2,418 00	2,418 00
January 9, 1860..	do Peter Boggus on debt of Jonathan West.....	101 60		101 60
do 2, do	do H. C. & H. E. Welborn.....	8,000 00		8,000 00
do 1, do	do Henry M. Rector.....	2,195 88		2,195 88

January 19, 1860.	do	C. G. Baldwin.....	926 00	926 00
do 28, do	do	Estate of John Drennen.....	4,435 62	4,435 62
March 10, do	do	James H. Walker.....	2,938 98	2,938 98
Feb'y 15, do	do	L. H. Belser.....	650 00	650 00
March 10, do	do	H. P. Crute.....	900 00	900 00
same	do	Bowlin & Humphrey.....	3,000 00	3,000 00
do 13, do	do	George L. Gammel.....	854 24	854 24
same	do	Joshua Skinner.....	200 00	200 00
do 16, do	do	Thomas Pearce.....	700 00	700 00
January 9, do	do	J. W. Rice.....	500 00	500 00
March 31, do	do	E. Kinsworthy.....	400 00	400 00
same	do	James F. Johnson.....	625 00	625 00
April 1, do	do	Tucker & Bertrand.....	10,000 00	10,000 00
do 9, do	do	D. H. & R. R. Sessions.....	5,000 00	5,000 00
same	do	Estate of Silas Craig.....	700 26	700 26
April 27, do	do	E. G. Baldwin.....	9 07	9 07
June 1, do	do	H. P. Smeads.....	888 35	888 35
			\$ 40,110 68	\$ 63,846 49
			\$ 23,735 81	\$ 41,152 10
June 30, 1860....|To balance of Cash on hand this day brought down				

No. 4--Concluded.

GORDON N. PEAY, *as Receiver of R. E. Bank, in account with Cash.*

Cr.

Date.		Amounts.
1858 and 1859	By cash paid State, County, Road, Railroad and City Taxes on real estate belonging to the Bank for the years 1858 and 1859, and for redemption of lands sold for taxes, as per vouchers on file in this office.....	 8,268 83
	By cash paid fee bills of clerks and sheriffs, masters and commissioners in chancery, for taking depositions, embracing costs paid in Cloyes' heirs case to Clerk of Supreme Court of United States, and fees in case of the State against the late Trustees of the Real Estate Bank, as per vouchers on file in this office.....	 1,116 74
	By cash paid for rent of office for Receiver, in State Bank buildings, from 1st October, 1857, to 30th June, 1860, at \$100 per annum.....	 275 00
	By cash paid expenses and attorney's fee in investigation of suit instituted in City Court of Richmond, Virginia, against Thomas Green, as indorser for T. T. Williamson on bill of exchange for \$10,000.....	 500 00
	By cash paid salary of Attorney and Receiver, and fees of extra attorneys, including fee of Attorney for the Bank in the Supreme Court of the United States in the Cloyes' heirs case, and the balance due estate of E. Cummins, for balance of his account as attorney, part of which amounts accrued prior to 1st October, 1858.....	 12,185 57
	By cash paid incidental expenses of the trust, including postage account, repairs on property, stationery account, printer's fees, and traveling expenses of Receiver, as per vouchers on file in this office.....	 348 25
June 30, 1860.....	To this amount of cash on hand, to balance account.....	 41,152 41
		\$ 63,846 49

June 30th, 1860.

GORDON N. PEAY,
Receiver.

No. 5.

STATEMENT *Of State Bank Bonds received by Gordon N. Peay, Receiver of Real Estate Bank, from the 1st day of October, A. D. 1858, to the 30th June, 1860.*

When Received.	No. of Bond.	From whom received.	Principal of Bonds.	Interest due on bonds when received.	REMARKS.
Dec. 14, 1858....	3	Mrs. P. W. Tucker.....	1,000 00	1,047 50	
Jan. 15, 1859....	374	Bell & Gray.....	1,000 00	1,022 50	
Feb. 23, "	336	Estate of Samuel D. Walker.....	1,000 00	1,058 83	
same	384	same	1,000 00	1,058 83	
same	460	same	1,000 00	1,058 83	
same	461	same	1,000 00	1,058 83	
same	466	same	1,000 00	1,058 83	
same	475	same	1,000 00	1,058 83	
same	476	same	1,000 00	1,058 83	
April 1st, 1859..	765	Mrs. Julia Roane.....	1,000 00	1,065 00	
same	766	same	1,000 00	1,065 00	
" 30th, "	756	Stephen Gaster.....	1,000 00	1,070 00	
same	757	same	1,090 00	1,070 00	
same	758	same	1,000 00	1,070 00	
same	759	same	1,000 00	1,070 90	
same	760	same	1,000 00	1,070 00	
same	761	same	1,000 00	1,070 00	
May 2d, 1859....	111	John H. Crease.....	1,000 00	20 00	
same	113	same	1,000 00	920 00	
same	114	same	1,000 00	1,070 00	
" 7th, "	331	Henry F. Mooney.....	1,000 00	1,070 00	
" 15th, "	115	John H. Crease.....	1,000 00	1,072 50	
same	116	same	1,000 00	1,072 50	
" 20th, "	118	same	1,000 00	1,073 33	
same	123	same	1,000 00	1,073 33	
same	124	same	1,000 00	1,073 33	

same	125	same	1,000 00	1,073 33
same	126	same	1,000 00	1,073 33
June 6th, " ..	357	Albert Rust.....	1,000 00	1,075 00
same	398	same	1,000 00	1,075 00
" 9th, " ..	337	J. L. Witherspoon.....	1,000 00	1,075 00
" 13th, " ..	300	M. Bozeman.....	1,000 00	1,075 00
" 15th, " ..	127	John H. Crease.....	1,000 00	1,077 50
same	128	same	1,000 00	1,077 50
" 23d, " ..	416	H. P. Coolidge.....	1,000 00	1,078 83
July 1st, " ..	129	John H. Crease.....	1,000 00	1,080 00
same	131	same	1,000 00	1,080 00
same	133	same	1,000 00	1,080 00
" 15th, " ..	418	William W. Andrews.....	1,000 00	1,082 50
same	419	same	1,000 00	1,082 50
same	484	same	1,000 00	1,082 50
same	492	same	1,000 00	1,082 50
January 20, 1859.	453	William W. Andrews.....	1,000 00	1,083 33
same	467	same	1,000 00	1,083 33
same	469	same	1,000 00	1,083 33
same	491	same	1,000 00	1,083 33
" 27th, " ..	763	James Scull.....	1,000 00	1,084 33
September 1, '59.	277	John H. Crease.....	1,000 00	1,090 00
same	278	same	1,000 00	1,090 00
same	280	same	1,000 00	1,090 00
same	296	same	1,000 00	1,090 00
same	298	same	1,000 00	1,090 00
same	135	same	1,000 00	640 00
same	134	same	1,000 00	10 00
same	299	same	1,000 00	10 00
" 20th, " ..	762	James Scull.....	1,000 00	1,093 33
same	774	same	1,000 00	1,093 33
" 26th, " ..	494	Thompson & Polk.....	1,000 00	1,093 83
same	495	same	1,000 00	1,093 83
Nov. 1st, " ..	454	William W. Andrews.....	1,000 00	1,110 00
same	493	same	1,000 00	1,110 00
January 28, 1860.	5	Charles G. Scott.....	1,000 00	1,115 00
same	7	same	1,000 00	1,115 00

No. 5—CONCLUDED.

When received.	No. of bond.	From whom received.	Principal of bonds.	Interest due on bonds when received..
January 28, 1860.	8	Charles G. Scott.....	1,000 00	1,115 00
same	109	same	1,000 00	1,115 00
same	110	same	1,000 00	1,115 00
Feb'y 15, "	660	William E. Woodruff.....	1,000 00	307 50
same	352	same	1,000 00	627 50
March 13, "	317	D. F. Shall, (6 coupons).....		180 00
same	329	same (6 coupons).....		180 00
same	375	same (6 coupons).....		180 00
May 1st	445	John H. Crease.....	1,000 00	1,100 00
same	447	same	1,000 00	1,100 00
same	449	same	1,000 00	1,100 00
same	472	same	1,000 00	1,100 00
same	479	same	1,000 00	1,100 00
May 10th, "	264	same	1,000 00	1,131 66
same	265	same	1,000 00	1,131 66
same	266	same	1,000 00	1,131 66
same	269	same	1,000 00	1,131 66
same	270	same	1,000 00	1,131 66
May 3d, "	686	Lewis B. Fort.....	1,000 00	1,130 33
same	687	same	1,000 00	1,130 33
May 5th	444	G. D. Royston.....	1,000 00	1,100 83
same	243	same (36 coupons).....		1,080 00
June 12th	358	John H. Crease.....	1,000 00	986 66
same	247	same	1,000 00	1,106 67
same	250	same	1,000 00	1,106 67
			\$84,000 00	\$87,793 06

Total principal and interest of State Bank bonds received from 1st October, 1858, to 30th June, 1860.....	\$171,793 06
Interest accrued on bonds from date of receipt to 30th June, 1860.....	4,175 69
	\$175,968 75
Deduct 6 coupons from bonds No. 317, 329, and 375, and 36 coupons from bond No. 243, paid to the state on bonus account.....	1,620 00
Balance.....	\$174,348 75

June 30, 1860.

GORDON N. PEAY;
Receiver.

No. 6.STATE BANK BONDS *on hand 1st October, 1858, as per report.*

When received.	No. of bond.	From whom received.	Principal of bonds.	Interest due on bonds when received.
October 17, 1859	759	Estate of W. D. McPetit.....	1,000 00	227 83
same	760	same	1,000 00	977 83
same	781	same	1,000 00	977 83
Dec. 26, 1859....	660	William W. Andrews.....	.....	810 00
March 1st, 1858..	782	John C. Palmer.....	1,000 00	1,000 00
same	783	same	1,000 00	1,000 00
same	784	same	1,000 00	1,000 00
same	785	same	1,000 00	1,000 00
same	786	same	1,000 00	1,000 00
same	787	same	1,000 00	1,000 00
same	788	same	1,000 00	1,000 00
same	789	same	1,000 00	1,000 00
August 16, 1858..	771	Stephen Gaster.....	1,000 00	1,027 50
same	772	same	1,000 00	1,027 50
same	773	same	1,000 00	1,027 50
same	774	same	1,000 00	1,027 50
same	775	same	1,000 00	1,027 50
same	752	Anthony H. Davies	1,000 00	1,027 50
same	753	same	1,000 00	1,027 50
same	754	same	1,000 00	1,027 50
same	776	William H. Gaines	1,000 00	1,027 50
same	777	same	1,000 00	1,027 50
same	778	same	1,000 00	1,027 50
same	779	same	1,000 00	1,027 50
same	780	same	1,000 00	1,027 50
same	781	same	1,000 00	1,027 50
same	790	same	1,000 00	1,027 50

same	769	Johnson Chapman	1,000 00	1,027 50
same	770	same	1,000 00	1,027 50
September 30, '58	751	M. Bozeman	1,000 00	255 00
same	755	same	1,000 00	1,035 00
same	794	Watkins & Gallagher	1,000 00	1,035 00
same	795	same	1,000 00	1,035 00
same	796	same	1,000 00	1,035 00
same	797	same	1,000 00	1,035 00
same	798	same	1,000 00	1,035 00
same	799	same	1,000 00	1,035 00
same	800	same	1,000 00	1,035 00
			\$37,000 00	\$36,995 99

Principal and interest on bonds when received..... \$73,095 99
Interest accrued on bonds from date of receipt to 1st October, 1858..... 579 01

Amount reported on hand 1st October, 1858..... \$74,575 00
To this sum add interest accrued from 1st October, 1858, to 30th June, 1860..... 3,780 00

Principal and interest..... \$78,355 00

Deduct from above amount as follows, viz:

Principal and interest of bond No. 770, exchanged for Real Estate bond No. 456..... \$2,027 50

Deduct following amounts, paid to state on account of bonus, by order of the chancery court, to-wit:

38 coupons from each of bonds Nos. 880, 881, 782, 783, 784, 785, 786, 787, 788, 789, (380 coupons)..... 11,400 00

From bond No. 771, (14 coupons)..... 420 00

From bond No. 879, (13 coupons)..... 390 00

From bond No. 660, (27 coupons)..... 810 00

Total 434 coupons..... \$13,020 00 \$15,047 50

30th June, 1860. Balance principal and interest on hand..... \$63,307 50

Add balance of State Bank bonds and interest on hand, as per statement on page 27..... 174,348 75

Total State Bank bonds and interest on hand \$237,656 25

June 30, 1860.

GORDON N. PEAY, Receiver.

No. 7.

STATEMENT Of Real Estate Bank bonds received by Gordon N. Peay, Receiver, since 1st October, 1858.

When received.	No. of bond.	From whom received.	Principal of bonds.	Interest due on bonds when received.	Interest accumulated to date of deposit with state treasurer.	REMARKS.
October 1st, 1858	922	Estate of Nancy Mauldin.....	1,000 00	1,005 00	232 50	Deposited in state treasury 1st April, 1859.
Nov'r 1st do	975	John W. Williams.....	1,000 00	1,040 00		same
same	456	Watkins & Gallagher	1,000 00	1,027 00		same
January 1, '59...	459	same	1,000 00	1,050 00		same
same	460	same	1,000 00	1,050 00		same
same	461	same	1,000 00	1,050 00		same
same	462	same	1,000 00	1,050 00		same
same	463	same	1,000 00	1,050 00		same
same	455	same (1 coupon).....		30 00		same
Feb. 15, '59	259	Moore & Pillar	1,000 00	1,027 50		same
same	260	same	1,000 00	1,027 50		same
same	464	Watkins & Gallagher	1,000 00	1,057 50		same
same	465	same	1,000 00	1,057 50		same
same	466	same	1,000 00	1,057 50		same
same	467	same	1,000 00	1,057 50		same
same	468	same	1,000 00	1,057 50		same
March 15, '59 ...	469	same	1,000 00	1,062 50		same
same	470	same	1,000 00	1,062 50		same
same	666	same	1,000 00	1,062 50		same
same	667	same	1,000 00	1,062 50		same
same	668	same	1,000 00	1,062 50		same
July 26, '59	743	William Crabtree.....	1,000 00	1,080 00		Deposited in state treasury 31st March, 1860.
November 1st, '60	74	John W. Williams.....	1,000 00	1,100 00		same
February 25, do	765	C. G. Baldwin.....	1,000 00	1,119 16		same
same	766	same	1,000 00	1,119 16		same
March 9, '60	941	Charles G. Scott.....	1,000 00	1,121 50		same

same	942	same	1,000 00	1,121 50	102 73	same
March 13, "	770	David F. Shall	1,000 00	1,122 17		same
same	771	same	1,000 00	1,122 17		same
same	812	same	1,000 00	1,122 17		same
same	813	same	1,000 00	1,122 17		same
same	814	same	1,000 00	1,222 17	Deposited in state treasury, 30th June, 1860.	same
April 10, "	899	Bell & Gray	1,000 00	1,126 67		same
same	758	same (1 coupon)		30 00		same
same	900	Mrs. N. E. Tollison	1,000 00	1,126 67		same
" 20, "	285	A. H. Davies	1,000 00	138 33		same
same	286	same	1,000 00	138 33	74 02	same
" 26, "	933	William F. Moore	1,000 00	1,129 33		same
same	934	same	1,000 00	1,129 33		same
June 22, "	853	L. L. Johnson	1,000 00	1,138 66		same
same	854	same	1,000 00	1,138 66		same
			\$ 39,000 00	\$ 40,375 65	\$ 409 25	

Principal and interest collected	\$79,375 65
Accumulated interest	409 25
Principal and interest at date of deposit	\$79,784 90

30th June, 1860.

GORDON N. PEAY,
Receiver R. E. Bank.

No. 8.

LANDS taken in payment of debts, since 1st October, 1858.

Date of deed.	By whom conveyed.	Part of section.	Section.	Township.	Range.	No. of acres.	REMARKS.
June 13, '59	R. P. Rankin & wife	whole of 17	17			1,708 98	
		whole of 18	18				
		part of 19	19				
		part of 20	20				
		part of 29	29				

The above described lands were conveyed to the Receiver of the Real Estate Bank by Col. R. P. Rankins, of Phillips county, in payment of the sum of \$39,307, part of his debt to the bank, under authority of an order of the Chancellor of Pulaski county, made on the 7th day of September, 1855; which sum is the value in specie as appraised under oath by John S. Horner, Walter E. Preston and Allen J. Polk. Under the order of the court, said Rankins has the privilege of redeeming said lands at any time within five years from its date, by paying to the Receiver said sum of \$39,307 00, with 8 per cent. interest thereon from said 7th day of September, 1855, in any of the bonds and coupons of the State issued to the Real Estate Bank (except the hypothecated bonds). The tract comprises one of the finest cotton plantations on Old Town Ridge, in Phillips county, and is now valued at sixty dollars per acre in cash.

GORDON N. PEAY,
Receiver.

No. 9.

STATEMENT of Lands sold by Receiver since 30th September, 1858.

Date of deed.	To whom sold.	1/4, 1/2 or part of 1/4 section.	1/4 or 1/2 of sec.	Section.	Township.	Range.	No. of acres of stock lands.	No. of acres not stock.	Price in bonds.	Price in specie.	REMARKS.
Oct. 4, 1858	Alex. Underwood	nw sw	33	1	s	5 e		40 00		\$ 200 00	Phillips co. Part of lands purchased by trustees under execution as the property of B. F. Odle. Pur'se money paid in full. Estimated value \$5 00 per acre in specie.
Nov'r 1, do	Jno. W. Williams	nw	32	10		24 w	600 00		\$6040 00	.....		Hempstead co. Part of tract of 1,089 60-100 acres mortgaged by John W. Williams to secure 222 shares of stock. Is the tract of land in Hempstead upon which Williams resides.
		ne	30	10		24					
		n hf se	30	10		24					
		w hf se	19	10		24					
		e hf sw	19	10		24					
	part of	w hf w hf	29	10		24					
Dec. 14, do	Mrs. P. W. Tucker	se	19	5		9	306 50		3,065 00		Jefferson co. Part of the tract of 639 20-100 mortgaged by Wood Tucker to secure 50 shares of stock. A large portion of the tract is situate in the hills, residue river bottom.
	part of	ne	30	5		9					
Dec. 17, do	David Hamiter...	w hf ne	12	13		32	240 00		2,000 00		Sevier co. 240 acres of this tract is mortgaged by Robt. Hamilton to secure 95 shares of stock.
		e hf nw	12	13		32					
		e hf sw	1	13		32					
		e hf nw	1	13		32					
Dec. 20, do	Wm. Crabtree...	w hf	8	19		25	480 00		4,800 00		Lafayette co. Part of the tract of land mortg'd by Pickett and Williamson to secure 250 shares of stock.
		w hf e hf	8	19		25					
Dec. 28, do	John Hamiter....	e hf	9	19		25	560 00				Lafayette co. 560 acres of this tract mortgaged by Pickett and Williamson, with other lands, to secure 250 shares of stock.
		sw	9	19		25					
		e hf nw	9	19		25					
		se	5	19		25					
		s hf	6	19		25			13500 00		The residue, 1,124 19-100 acres were conveyed to the

und.	1/2 of these tracts	{ w frl hf 7 19 25 s hf 1 19 26 se 2 19 26 e hf 11 19 26 whole 12 19 26 }	1,124 19		bank by Rufus A. Nott in payment of his debt; the amount received for these lands was sufficient to cover the debt and accrued interest and the appraised value of the land.
Jan. 12, '59	H. P. Smead....	{ e hf 25 16 18 n hf 36 16 18 ne 35 16 18 }	800 00	2,400 00	Union co. Part of the tract of land conveyed to the late Trustees by John T. Jones in payment of his debt, described as second rate uplands, and sold at \$3.00 per acre in specie, their appraised value. [stock.]
Jan. 25, do	Jas. T. Moore....	nw 27 1 4 e	160 00	1,600 00	Phillips co. Mort. by A. D. Burriss to secure 24 shares
Feb. 2, do	Gideon J. Pillow.	sw 30 2 5 w hf se 30 2 5 n frl half ne frl 30 2 5	147 94	2,010 00	Phillips co. Part of the tract of land mortgaged by Fleetwood Hanks, to secure 300 shares of stock.
Feb. 9, do	Joshua M. Craig.	fractional 36 15 1 w e hf se 35 15 1 e hf nw 35 15 1 ne 35 15 1 s hf se 26 15 1	680 04	2,000 00	Chicot co. This tract of land is mort. by W. & J. F. Taylor to secure 183 shares of stock; a large portion of the tract has caved off into the Mississippi river, leaving only 430 acres, all of which is outside of the levee and subject to deep overflow, except 75 acres.
Feb. 25, do	Abel Warren....	se 20 8 n 30 sw 21 8 30 ne frl 21 8 30	456 95	2,741 70	Sebastian co. Part of the tract of land mortgaged by Pickett & Gregg to secure 84 shares of stock. Part is upland and residue river bottom, unimproved.
March 1, do	Elizabeth Wright	sw frl 29 5 s 9 se frl 30 5 9 se corner of ne 30 5 9	332 70	3,327 00	Jefferson co. Part of the tract of land mortgaged by Wood Tucker to secure 50 shares of stock, a large portion of the land mortgaged is situate in the pine hills, and residue in river bottom.
do 19, do	Alexander Graves	ne 10 2 3 e part of se 3 2 3	205 00	1,230 00	Phillips co. Uplands, unimproved. Part of tract purchased by the late trustees under execution against Bostwick and Odle.
May 2, do	R. Osborne.....	s hf 33 13 n 5 w	320 00	1,200 00	Independence co. Second rate upland. Conveyed to late trustees by C. B. Magruder in payment of his debt; sold at appraised value.
do 4, do	Wm. C. Bradley.	sw 18 19 s 25	160 00	1,500 00	Mortgaged by James Crabtree with other lands to secure 57 shares of stock; the other lands embraced in the mortgage were not purchased by the trustees under decrec of foreclosure.

No. 9--CONTINUED.

Date of decd.	To whom sold.	$\frac{1}{4}$, $\frac{1}{2}$ or p't of $\frac{1}{4}$ section.	$\frac{1}{4}$ or $\frac{1}{2}$ of Sec. Section.	Township.	Range.	No. of acres of stock lands.	No. of acres not stock.	Price in bonds.	Price in specie.	REMARKS.
May 5, '59	David F. Shall & P. B. Starbuck.	nw 19	2 s	5 w						
		n half 19	do	do						
		s hlf se 18	do	do						
		e hlf sw 18	do	do						
		s hlf se 19	do	do						
		s hf sw 20	do	do						
		sw se 20	do	do						
		e hlf 30	do	do						
		e hf sw 30	do	do						
		w hf 29	do	do						
		w hf e hf 29	do	do						
		n hf nw 31	do	do						
		ne 31	do	do						
		nw 32	do	do						
		w hf ne 32	do	do						
		e hf 22	do	do						
		e hf sw 22	do	do						
		sw 23	do	do						
		w hf se 23	do	do						
		n hf ne 26	do	do						
		nw 26	do	do						
		w hf sw 26	do	do						
		s hf n hf 34	do	do						
		ne 27	do	do						
		e hf sw 23	do	6						
		sw sw 23	do	do						
		nw 26	do	do						
							3,669 94	7,000 00	.....	Arkansas. These lands were entered with the swamp land scrip in the hands of the Receiver, and cost the Bank \$2,450 00 in scrip. The selections were made principally in the Grand Prairie, and a large portion of the tract is second rate prairie land, not valuable. The Bank realized on the investment a profit of \$4,550 00. A portion of the lands might have been sold for a price greater than the average obtained, but the residue would have been of but little value.
										Prairie county.

May 7, '59	Thomas Quarles. Patented to	sw nw 25	do	do	147 66	1,466 60	
		sc se 25	do	do			
		ne ne 36	do	do			
		part of survey	20	5 e			
		W. H. Glass					
same	Arthur Thompson	w hf sw fr 7	15	5 w	581 02	1,000 00	
		nw fr 7					
		w hf fr 6	12	1 e	68 85		
		sw fr 5					
May 17, '59	Charles Cargile..	n hf se 33	8	22 w	80 00	1,000 00	
	Arthur Thompson	Lots 7 and 8, bloc k 2					
		Lots 11, 12 & 13 block 4,					
		Lots 16, 17 & 18 block 1,					
		1 acre of ground.			Helena.	600 00	
June 6, do	Albert Rust	w hf nw 17	1 n	12 w	1,005 00	3,015 00	
		e hf 18	do	do			
		whfwhfsw 18	do	do			
		ne sw 18	do	do			
		sw nw 19	do	do			
		n hf sw 13	do	13			
		se 13	do	do			
		e hf ne 24	do	do			
June 17, do	V. B. Izard.....	n hf 33	5	3 e	320 00	3,200 00	

Phillips co. Part of tract of land mortgaged by F. Hanks to secure 300 shares of stock. The Bank's valued at and sold for \$10 00 per acre in bonds.

Drew & Chicot co. These lands were mortgaged by Davis Thompson to secure a part of his debt to the Bank, and no taxes have been paid upon them since the mortgage was executed; a part of them have been sold for the taxes; no deed to the bank in the Receiver's office, and the lands are not embraced in the list of lands belonging to the bank.

Clark co. Part of land conveyed to late Trustees by A. E. Thornton in payment of his debt; good upland, valued at \$6 00 per acre in specie, and sold for sum of \$1,000 in bonds.

Phillips co. Purchased by the late Trustees under execution, as property of Wm. M. McPherson.

Lots 7 and 8, block 2, nearly all caved off in the Mississippi river, and of no value outside of levee. The 1 acre of ground is outside of levee and partly caved off in river. The other lots are valued at an average of \$50 00 each.

Pulaski co. Part of lands mortgaged by James De-Baun to secure 97 shares of stock; a large portion of the tract is poor pine uplands, the residue creek bottom, subject to overflow; the tract is well improved, large frame building, barn, stables, etc., but could not be rented and kept in repair with the rents.

St. Francis co. Mortgaged by Mark Izard, to secure 39 shares of stock: upland and improved.

No. 9-CONTNUED.

Date of deed.	To whom sold.	$\frac{1}{4}, \frac{1}{2}$ or part of $\frac{1}{4}$ section.	$\frac{1}{4}$ or $\frac{1}{2}$ of Sec.	Section.	Township.	Range.	No. of acres of stock lands.	No. of acres not stock.	Price in bonds.	Price in specie.	REMARKS.
June 11, '59	Wm. W. Andrews	fractional	34	18	26	w	1,569 20		10000 00		Part of the tract of land mortgaged by Pickett & Williamson to secure 250 shares of stock. Red river bottom land; part subject to overflow; defect in deed of foreclosure in the description of lands, and also in deed to Trustees. Bill has been filed by Andrews to correct.
	w fr	hf fr	35	do	do						
		hf e fr	35	do	do						
		n hf	3	19	do						
		nw	2	do	do						These lands were conveyed to the late Trustees by Henry K. Brown in part payment of his debt to the bank for the sum of \$6,400 00. They are uplands, and valued at \$5 00 per acre in specie, and sold to Andrews for \$6,400 00 in bonds.
June 27, do	Wm. W. Andrews	w hf ne	2	do	do			640 00	6,400 00	.....	
		sw	5	13	32						
		se	8	do	do						
		e hf sw	8	do	do						These lands were mortgaged by James Gibson to secure 36 shares of stock. There has been no foreclosure of the mortgage, and there is no evidence of any title whatever in the bank.
		w hf sw	9	do	do		360 00	.....	2,160 00	.....	
July 23, do	Thomas C. Smith	ne	33	do	do						
		nw	11	11	25						
		w hf ne	11	do	do						Hempstead co. These lands, with 320 acres in Township 11 South, Range 27 West, mortgaged by Allen M. Oakley, to secure 160 shares of stock. Poor pine uplands; unimproved, and the bank's interest sold for \$2,016 75, in bonds, its estimated value.
		w hf sw	11	do	do						
July 26, do	B. F. Hempstead & M. T. Holt.	se sw	11	do	do						
		shf	6	do	24						
		ne ne	7	do	do		672 24		2,016 75		Jefferson co. Part of lands conveyed to late Trustees, by John S. Roane, in exchange for the stock lands of James Scull: valued at \$5 per acre in specie, and sold for the sum of \$5,500 in bonds.
		w hf ne	7	do	do						
		e hf nw	7	do	do						
		nw	18	do	do						
July 27, do	James Scull.....	e hf	34	3	8			480 00	5,500 00		Phillips co. Sold at appraised value in specie \$600.
		sw	34	3	8						
Aug. 1, do	Joshua Skinner..	Pt. of lot No.	77, in Helena							600 00	
do 17, do	Joan D. Thomas.	nw fr	7	3	n	4 e	240 00	.....	1,000 00	.....	
	part of	n hf sw fr	7	3	4 e						St. Francis co. Mortgaged by John Douglass, to secure 29 shares of stock; upland and unimproved.

Aug. 17, '59	James M. Myrick	sc 6 3 4 e } e hf ne 6 do 4 c }	240 00	.....	1,000 00	.....	St Francis co. Part of lands mortg'd by Jas. J. Thompson, to secure 62 shares of stock; upland and unimpr'd.
Aug. 18, do	Wm. W. Walker	s hf se 12 9 31 w	80 00	.....	.....	120 00	Crawford co. Purchased by the late trustees, under execution, as the property of Wharton Rector; sold to Wm. Walker, at appraisement, made by county surveyor.
do 26, do	Wm. W. Andrews	w hf nw 27 13 s 26 ne fr 28 do do e hf ne 8 do do n hf 9 do do w hf sw 10 do do	80 00 147 14	80 00 320 00 80 00	3,535 70	.....	Hempstead co. The 2 first named tracts are embraced in the stock mortgage of John W. Williams, and the other tracts were conveyed by Williams to the late Trustees, with other lands, in payment of his debt to the bank. The lands are described as thin 2d rate uplands and estimated to be worth \$2 50 per acre in specie. Sold to Andrews for \$3,535 70 in bonds.
Sept. 14, do	Frank A. Rector.	e hf 32 8 n 31 sw 32 do do sw 33 do do e hf ne 31 do do sw ne 31 do do nw ne 31 do do se 26 do 32 all of 35 do do nw 26 do do e hf ne 26 do do n hf 25 do do se 24 do do w hf ne 24 do do w hf se 13 do do	 2,480 00	 2,480 00	 2,480 00	.....	Sebastian co. These lands were mortgaged by Warton Rector to secure 100 shares of stock; a large portion of the tract is thin, poor prairie land. Sold to Rector at appraised value, for \$2,480 in bonds, paid in hand, and \$2,480, in specie, at one and two years, with 8 per cent. interest from date, and payment secured by mortgage, with power of sale in default of payment.
Aug. 29, do	Timothy Williams	nw 2 15 s 20 ne 3 do 20	.....	297 42	.....	900 00	Columbia co. Part of lands conveyed to the late Trustees, by John T. Jones, in payment of his debt; 2d rate upland, unimproved, valued at and sold for \$3 per acre, in specie.
Sept. 16, do	Wm. F. Moore..	s hf 5 1 3 e nw fr 5 1 3	454 40	.....	2,500 00	.....	Phillips co. Mortgaged by Lewis L. Poe, assignee of Gervais, to secure 38 shares of stock. The bank's interest valued at and sold for the sum of \$2,500 in bonds.

Date of Deed.	To whom sold.	1/4, 1/2 or part of 1/4 section.	1/4 or 1/2 of sec.	Section.	Township.	Range.	No. of acres of stock lands.	No. of acres not stock.	Price in bonds.	Price in specie.	REMARKS.
Sept. 6, '59	Thompson & Polk	w hf ne 21	ne ne 21	nw 21	2s	4 e		360 00	\$ 10000 00	\$	Phillips co. This tract of land was conveyed to the late Trustees by Henry L. Biscoe in part payment of his debt to the Bank. The lands were received by the Trustees at the sum of \$16,200 00, but could not be sold for exceeding \$10,000 00 in bonds; the tract is a small one, and part of it wet and inferior.
		w hf sw 21									
Oct. 15, do	David F. Shall...	e hf se 9	s hf 10	sw 11	1 n	10 w	1115 78		\$ 6000 00		Pulaski co. Part of the tract of land mortgagee by R. D. C. Collins, as transferee of Chester Ashley, to secure 299 shares of stock. Part of the tract is first class riverbottom land, residue low, wet and swampy, and over 200 acres of the tract is embraced in Bear Skin Lake.
		w hf nw 14	ne nw 14	n hf 15							
		se 33									
		n hf nw 26	n hf ne 26	sw 23							
Nov. 2, do	R. A. Brunson...	se sw 15	sw se 15		11 s	27	320 00		\$ 3200 00		Hempstead co. Part of the tract of land mortgaged by Wm. Johnson to secure 60 shares of stock; upland and unimproved.
Nov. 15, do	S. A. Witherspoon				do	do	80 00		800 00		do do do do
Dec. 1, do	Geo. C. Watkins.	se 33	sw 34		1 n	12	320 00		320 00		Pulaski co. Part of the tract of land mortgaged by R. D. C. Collins, as transferee of Chester Ashley, to secure 299 shares of stock. Poor pine uplands, and unimproved.
Dec 3, do	Peter Hangei....	s hf nw 12	ne nw 12	sw ne 12	1	12	312 92		13000 00		Pulaski co. This tract was mortgaged by Rich'd C. Byrd to secure 152 shares of stock. Part of the tract viz: the sw qr of nw qr of section 12, is the property of Mr. Killian, was patented to John McLain, and Byrd never had any title to it.
		ne sw 12									
	Lots 4 & 5 of 1000 acre grant...				do	do					

Dec. 13, do	Wm. Dickson...	se 7 8 n 9 e e frl hf 17 do do e hf nw fr 17 do do	483 60	2418 00	Crittenden co. This tract of land was mortg'd by A. M. Ferguson to secure 72 shares of stock, and estimated to be worth \$10 00 per acre in bonds and sold at the rate of \$5 00 per acre in specie.
Jan. 9, '60	J. W. Rice.....	sw 23 1 s 4	160 00	500 00	Phillips co. Mortgaged by Geo. W. Wilcox to secure 26 shares of stock, and the Bank's interest, estimated to be worth \$1,000 in bonds; sold for sum of \$500 in specie.
Feb. 1, do	Lemuel Beatty...	w hf sw 19 11 23 w	89 36	493 60	Hempstead co. Part of tract of land mortgaged by Wm. Clark; upland and unimproved.
Feb. 15, do	L. H. Belser.. all west of Bayou Bar- tholomew.	e hf se 21 15 4 sw fr 22 do do se fr 22 do do e fr hf ne fr 27 do do	360 30	1801 50	Ashley co. Mortg'd by W. D. Dabney to secure 72 shares of stock. The interest of the Bank was estimated to be worth \$10 00 per acre in bonds, and sold for \$5 00 per acre in specie.
March 9, do	Charles G. Scott.	ne 23 8 31 w hf nw 24 do do sw fr qr 24 do do	150 06 80 00 138 40	2768 87	Crawford co. The two first named tracts were mortgaged for stock by Wm. Campbell, and then the other tract was conveyed to the late Trustees by E. Cunningham in payment of his debt; sold to Scott at appraised value.
Mar. 10, do	H. P. Crute.....	fr sec 35 14 4	578 82	2700 00	Drew co. Part of the tract of land mortgaged by A. K. Gaines, to secure 300 shares of stock. Part of this tract is in the hills, and residue is bottom land on the Bayou Bartholomew; wholly unimproved.
Mar. 10, do	Jas. M. Bowlin & James Umphrey.	e hf fr 22 14 s 4 s pt n hf 23 do do se fr 23 do do w pt e hf 26 do do n pt sw 26 do do e hf nw 26 do do e hf sw 23 do do	700 69	3000 00	Drew co. Part of the tract of land mortgaged for stock by A. K. Gaines, to secure 300 shares. Part of this tract is upland and residue is bottom land, on the Bayou Bartholomew, no improvements.
Mar. 13, do	Geo. L. Gammell.	e hf 18 15 5 nw 19 do do w hf w hf 17 do do	640 68	2562 72	Drew and Ashley counties. Part of the tract of land mortgaged by Benj. Hughes to secure payment of his debt to the Bank, and purchased by Trustees under decree of foreclosure; second rate upland, no improvements.

No. 9--CONCLUDED.

Date of deed.	To whom sold.	$\frac{1}{4}$, $\frac{1}{2}$ or part of $\frac{1}{4}$ section.	$\frac{1}{4}$ or $\frac{1}{2}$ of sec. Section.	Township.	Range.	No. of acres of stock lands.	No. of acres not stock.	Price in bonds.	Price in specie.	REMARKS.
Mar 16, '60	Thomas Pearce..	se	5	1 n	3 e	.....	160 00	.....	\$ 700 00	Phillips co. Conveyed to trustees by Wm. E. Butts in payment of debt; second rate upland, no improvements.
do 28, do	E. Kingsworthy..	e hf nw w hf ne	17 17	11 s	29 w	160 00	.....	.....	400 00	Sevier co. Part of tract of land mortgaged by Finley & Oakley to secure 185 shares of stock; 2d rate upland and unimproved.
do 31, do	Jas. F. Johnston.	ne	6	9	21	157 44	.....	\$625 00	.....	Clark co. Part of tract of land mortgaged by A. E. Thornton to secure 70 shares of stock.
April 1, do	Tucker & Bertrand	Lots 1, 2, 3, 4, E. Q. L. Little	5 & 6	Block 8, Rock.	}	.....	.....	.....	10000 00	Pulaski co. Banking-house and lots in city of Little Rock. Lot 1 was conveyed to Bank by Lewis Snapp; but no title was acquired. Bank has not had possession for 11 years.
June 12, do	Wm. Dickson....	se	11	8 n	8 e	150 60	.....	1254 00	.....	Crittenden co. Part of tract of land mortgaged by Thomas M. Collins to secure 100 shares of stock.
same	John L. Malone..	sw fr sw part se fr	11 15 9	8 8 8 n	8 8 8	117 74 93 15 44 37	.....	2125 00	.....	do do do do

See pages 874 and 875 for Condensed Statement of Sales.

No. 10.

CONDENSED STATEMENT *Of sales of lands made since 1st October, 1858; showing number of acres of stock lands; number of acres not stock, and description of funds received in payment.*

Date of sale.	Folio of journal entry.	Names of purchasers.	No. of acres of stock lands.	No. of acres not stock.	Amount of purchase.	Amount paid in notes.	Amount paid in specie at time of purchase.	Amount paid in bonds at time of purchase.	REMARKS.
Oct. 4, 1858	191	A. Underwood.....		40 00	200 00		200 00		
Nov. 1, do	192	John W. Williams.....	600 00		6,040 00	4,000 00		2,040 00	
Dec. 14, do	193	Mrs. P. W. Tucker.....	306 50		3,065 00			3,065 00	
Dec. 17, do	193	David Hamiter.....	240 00		2,000 00			2,000 00	
Dec. 20, do	193 & 209	William Crabtree.....	480 00		4,800 00			4,800 00	
Dec. 28, do	194	John Hamiter.....	560 00	1,124 19	13,500 00	9,000 00		4,500 00	
Jan. 12, 1859	195	H. P. Smead.....		800 00	2,400 00	1,600 00	800 00		
Jan. 25, do	196	James T. Moore.....	160 00		1,600 00			1,600 00	
Feb. 2, do	196	G. J. Pillow.....	147 94		2,010 00			2,010 00	
Feb. 9, do	196	Joshua M. Craig.....	680 04		2,000 00			2,000 00	
Feb. 25, do	199	Abel Warren.....	456 95		2,741 70	1,827 80		913 90	
March 1, do	199	Mrs. E. Wright.....	332 70		3,327 00			3,327 00	
Mar. 19, do	199	Alexander Graves.....		205 00	1,230 00	530 00		700 00	
May 2, do	201	R. Osborne.....		320 00	1,200 00	800 00		400 00	
same	201	Wm. C. Bradley.....	160 00		1,500 00	1,000 00		500 00	
May 5, do	202	Shall & Starbuck.....		3,669 94	7,000 00	7,000 00			
May 7, do	202	Thomas Quarles.....	147 66		1,476 60	588 72		887 88	
same	202	Arthur Thompson.....		649 87	1,000 00			1,000 00	
May 17, do	203	Charles Cargile.....		80 00	1,000 00			1,000 00	
May 21, do	204	Arthur Thompson.....			600 00			600 00	Town lots.
June 6, do	204	Albert Rust.....	1,005 00		3,015 00			3,015 00	
June 11, do	205	Wm. W. Andrews.....	1,569 20		10,000 00	10,000 00			
June 17, do	206	V. B. Izard.....	320 00		3,200 00	1,600 00		1,600 00	
June 27, do	207	Wm. W. Andrews.....		640 00	6,400 00	3,400 00			
July 23, 1859	209	Thomas C. Smith.....	360 00		2,160 00	2,160 00			

" 26, "	209	B. F. Hempstead	672 24	.....	2,016 75	1,008 38	.....	1,008 37	
" 27, "	210	James Scull		480 00	5,500 00	3,415 67	.....	2,084 33	
Aug 1, "	210	Joshua Skinner			600 00	300 00	.....	300 00	Town Lots.
" 17, "	211	John D. Thomas	240 00	.....	1,000 00	500 00	.....	500 00	
same	211	J. M. Myrick	240 00	.....	1,000 00	500 00	.....	500 00	
" 18, "	211	William W. Walker	80 00	.....	120 00		120 00	.....	
" 26, "	212	Wm. W. Andrews	227 14	480 00	3,535 70	3,411 68	.....	124 02	
" 29, "	212	Timothy Williams		297 42	900 00	600 00	300 00	.....	
Sept. 6, "	213	Thompson & Polk		360 00	10,000 00	5,818 34	.....	4,181 66	
" 14, "	213	F. A. Rector	2,480 00	.....	4,960 00	2,480 00	.....	2,480 00	
" 16, "	213	Wm. F. Moore	454 40	.....	2,500 00	2,500 00	.....		
Oct. 15, "	218	David F. Shall	1,115 78	.....	6,000 00	6,000 00	.....		
Nov. 2, "	220	R. A. Brunson	320 00	.....	3,200 00	3,200 00	.....		
" 15, "	220	S. A. Witherspoon	80 00	.....	800 00	800 00	.....		
Dec. 1, "	221	George C. Watkins	320 00	.....	320 00	320 00	.....		
" 3, "	221	Peter Hanger	312 92	.....	13,000 00	13,000 00	.....		
" 13, "	221	William Dickson	483 60	.....	2,418 00		2,418 00	.....	
Jan. 9, 1860.	222	J. W. Rice	160 00	.....	500 00		500 00	.....	
Feb. 1, "	222	Lemuel Beaty	89 36	.....	493 60		493 60	.....	
Feb. 15, "	223	L. H. Belser	360 30	.....	1,801 50	1,151 50	650 00	.....	
March 9, "	224	Charles G. Scott	240 00	138 40	2,768 87			2,768 87	
" 10, "	224	H. P. Crute	578 82	.....	2,700 00	1,800 00	900 00	.....	
same	224	Bowlin & Umphry	700 69	.....	3,000 00		3,000 00	.....	
March 13, "	225	George L. Gammel		640 68	2,562 72	1,708 48	854 24	.....	
" 16, "	226	Thomas Pearce		160 00	700 00		700 00	.....	
" 28, "	226	E. Kinsworthy	160 00	.....	400 00		400 00	.....	
" 31, "	226	James F. Johnston	157 44	.....	625 00			625 00	
April 1, "	228	Tucker & Bertrand			10,000 00		10,000 00	.....	Town Lots.
June 12, "	234	William Dickson	150 60	.....	1,254 00			1,254 00	
same	234	John L. Malone	255 26	.....	2,125 00			2,125 00	
Totals			17,404 54	10,085 50	\$170,266 44	\$95,020 57	\$21,142 24	\$54,103 63	

No. 10—CONCLUDED.**RECAPITULATION OF SALES.**

17,404	54	100	acres of lands mortgaged for stock.	
10,085	50	100	acres of lands not mortgaged for stock.	
			8 town lots and 1 acre of ground in Helena.	
			6 town lots in the city of Little Rock.	
			Sold for the aggregate sum of	\$170,266 44
Which sum was paid at time of sale, as follows:				
			In notes secured by mortgages.....	\$ 95,020 57
			In specie.....	21,142 24
			In state bonds and coupons.....	54,103 63
			Total.....	\$170,266 44

£ 30th Jnne, 1860.

GORDON N. PEAY,
Receiver.

NO. 11.**STATEMENT Of balance of Real Estate account.****STOCK LANDS.**

Number of acres of stock lands unsold, as per report 2st Oct., 1858...		50,381 26
Add lands sold by receiver to Thomas C. Smith, 25th July, 1859, being part of James Gibson's stock, which were not embraced in list of lands belonging to the bank, and to which she had no title.....		369 00
Add 320 acres in township 7 north, range 7 east, part of Wright W. Elliott's stock, which was sold to J. L. Malone, as per report 1st October, '58, and afterwards contract canceled as to that tract.....		320 00
Total acres of stock lands		51,061 26
From which deduct as follows, to-wit:		
Stock lands of Wm. B. Duncan, lost by decision of Supreme Court.....	\$3,208 17	
Stock lands of B. H. G. Hartfield, lost by decision of Supreme Court.....	610 06	
Stock land of Fleetwood Hanks, erroneously in list, and not embraced in decree or sale to the bank, viz: undivided half of surveys Nos. 491, 496 and 2,364, and survey patented to John Moore.....	806 90	
Stock land of Kitturah Frazier, being 136 acres of survey No. 2,338 in township 8 north, range 8 east, which is also embraced in list of W. W. Elliott's lands.....	136 00	
Stock land of A. J. Greer; error in description of area of N.W. $\frac{1}{4}$, sec. 24, T. 10 N., R. 8 E., contains 67 06.100 acres instead of 160; difference.....	92 94	
Stock land of A. J. Greer; deduct E $\frac{1}{2}$ 15, N.E. 21; and W. $\frac{1}{2}$ N. W. 22, in T. 6 N., R. 6 E., 560 acres, which are also embraced in W. D. Ferguson's list.....	560 00	
Stock lands sold by receiver since 1st October, 1858, as per statement No. 10	17,404 54	22,818 61
Number of acres of stock lands unsold.....		28,242 65
LANDS NOT MORTGAGED FOR STOCK.		
Number of acres unsold as per report 1st Oct. 1858.....		28,625 98
Add lands sold to Arthur Thompson, not in list before.....		649 87
		29,275 85
From which deduct N. $\frac{1}{2}$ sec. 2, T. 11 S., R. 25 W., which had been sold by the trustees to Thomas C. Smith.....	196 65	
Deduct lands sold by receiver since 1st October, 1858, as per Statement No. 10	10,085 50	10,282 15
Balance		18,993 70
Add lands conveyed to receiver by Robert P. Rankins.....		1,708 98
Number of acres not stock, unsold.....		20,702 68

NO. 11—CONCLUDED.**TOWN LOTS.**

Number unsold as per report 1st October, 1858.....	20
From which deduct as follows:	
Lot 3, block 8, Van Buren, sold by the trustees to Bearden.....	1
Lot 23, in Helena, sold by trustees to C. G. Baldwin.....	1
Lots 56, 57 and 58, Helena, sold by trustees to Mrs. Odle.....	3
14 lots in Helena and Little Rock, sold by receiver since 1st October, 1858, as per Statement No. 10	14 19
1 lot in town of Van Buren, unsold.....	1

Number of acres of stock lands unsold.....	28,242 65
Number of acres not stock unsold.....	20,702 68
1 lot in town of Van Buren.	

June 30th, 1860.

GORDON N. PEAY,
Receiver.

No. 12.**STATEMENT** *Of account of bonds issued by the State to the Real Estate Bank of Arkansas.*

October 1, 1858	Principal and interest on bonds sold by the bank, outstanding and unredeemed on the 1st day of October, A. D. 1858, as per table marked "O" of Auditor's report to the governor, of that date.....	\$1,791,830 00
	Interest on the principal of said bonds, (946 in number,) at six per centum per annum, from the 1st of October, 1858, to 30th June, 1860.....	99,330 00
	Principal received by the bank on the hypothecation of 500 bonds to the North American Trust and Banking Company, New York.....	121,336 59
	Interest thereon at six per centum per annum from the 7th day of September, 1840, to 30th June, 1860....	144,949 07
	Principal and interest to 30th June, 1860.....	\$2,156,745 66
BONDS, COUPONS AND INTEREST REDEEMED, CANCELED AND DEPOSITED IN STATE TREASURY FROM 1ST OCTOBER, 1858, TO 30TH JUNE, 1860.		
	Coupons and interest.	Principal.
April 1, 1859.	20 bonds deposited this date.....	\$20,000 00
	Coupons and interest on bonds at date of deposit. \$ 21,240 00	
	Interest on 20 bonds from date of deposit to 30th June, 1860.....	1,500 00
March 31, 1860	11 bonds deposited this date.....	11,000 00
	Coupons and int. due on bonds at date of deposit	12,375 00
	Interest on 11 bonds from date of deposit to 30th June, 1860.....	165 00
June 30, 1860	8 bonds deposited this date.....	8,000 00
	Coupons and interest deposited this date.....	7,170 00
	\$42,450 00	\$39,000 00
	Principal and interest deposited.....	81,450 00
June 30, 1860	Bal. of principal and interest outstanding this date...	\$2,075,295 66
	Which balance consists as follows, to-wit:	
	Principal of am't received on hypothecated bonds.....	\$121,336 59
	Principal of bonds sold by the bank.....	907,000 00
	Int. on am't received upon hypothecated bonds.....	144,249 07
	Interest on bonds sold by the bank.....	902,710 00
		\$2,075,295 66

NOTE—The balance of bonds and interest outstanding on the 1st Oct., 1858, as stated above, is taken from the auditor's report to the governor, on the 1st Oct., 1858, which is stated from an examination of the bonds and coupons filed and canceled in the treasurer's office. The statement of principal received on the hypothecated bonds is stated from the report of Messrs. Gouge and Miller to the Governor.

GORDON N. PEAY,
Receiver.

June 30th, 1860.

NO. 18.**GENERAL STATEMENT of the liabilities and assets of the
Real Estate Bank of the State of Arkansas, on the 30th day
of June, A. D. 1860.**

LIABILITIES.			
Balance of principal and interest due on the bonds of the State issued to the Real Estate Bank as per statement No. 12.....			\$ 2,075,295 66
Balance of circulation unredeemed.....			12,815 00
Balances to credit of individuals not applied as credits on notes.....			6,764 83
Estimated amount of taxes on real estate for the year 1860.....			3,500 00
ASSETS.			\$2,098,375 49
BALANCE OF BILLS RECEIVABLE ACCOUNT.			
Amount of debts classed as worthless, principal	\$ 400,617 61	\$	
do do do as doubtful do	109,037 54		509,655 15
AMOUNTS CLASSED AS GOOD.			
Amounts payable in bonds with the interest due thereon to 30th June, 1860.....	155,599 14		
Amounts payable in gold and silver with the interest due thereon 30th June, 1860.....	89,851 64		245,450 78
Balance due on account of rents.....			3,150 00
BALANCE OF REAL ESTATE ACCOUNT.			
28,242 65-100 acres of lands mortgaged for stock, and 20,702 68-100 acres of lands not embraced in stock mortgages, and 1 lot in the town of Van Buren, as per statement No. 11, the value of which in bonds is estimated at the sum of.....			250,000 00
STATE BOND ACCOUNT.			
121 bonds of the State issued to the State Bank, with coupons and interest thereon up to the 30th June, 1860.....			237,656 25
Chicot county scrip.....			2,200 00
Uncurrent money, worthless.....			484 12
Cash in gold and silver on hand 30th June, 1860, as per statement No. 4.....			41,152 10
Balance.....			\$ 808,627 09
Add assets above classed as worthless.....			510,139 27
AMOUNTS OF ASSETS STATED ABOVE CLASSED AS GOOD.			
Bills and notes payable in bonds.....	155,599 14		
do do in specie.....	89,851 64		
Real Estate.....	250,000 00		
Balance of rent account.....	3,150 00		
State Bank bonds, coupons and interest.....	237,656 25		
Cicot county scrip.....	2,200 00		
Cash	41,152 10		
Total good assets.....	779,609 15		
Balance of liabilities over and above assets.....			\$1,318,766 36

June 30th, 1860.

GORDON N. PEAY,
Receiver.

No. 14.

AGGREGATE STATEMENTS of the receipts, etc., in Receiver's office, from the removal of the Trustees, on the 20th April, 1855, up to the 30th day of June, 1860.

RECEIPTS IN GOLD AND SILVER.

Received by C. F. M. Noland, Receiver, as per report, 1st Oct. 1856....	\$ 4,250 00
Received by G. N. Peay, do do do	23,093 05
do do do do 1st Oct. 1858....	32,332 76
do do do do 30th June, 1860....	61,571 02

Total receipts in gold and silver.....\$ 121,246 83

RECEIPTS IN BONDS, OR EQUIVALENT, AND NOTES.

Received by C. F. M. Noland, as per report, 1st Oct., 1856.....	\$ 48,222 54
Received by G. N. Peay, as per report, 1st October, 1856.....	151,905 61
do do do do 1858.....	349,183 50
do do do do 30th June, 1860.....	169,564 00

Total receipts in bonds, or equivalent.....\$718,875 65

IN REAL ESTATE.

Paid to C. F. M. Noland, Receiver, in real estate, as per report, 1st Oct., 1856	\$ 14,885 68
Paid to G. N. Peay, Receiver, in real estate, as per report, 1st Oct., 1856.	32,317 57
do do do do do 30th June, 1860.	39,307 00

Total receipts in real estate.....\$ 86,510 25

STATE BANK BONDS RECEIVED.	Principal and interest when received.	Accumulated interest.	Am'ts exchanged with State Bank.
As per report 1st October, 1856.....	\$ 77,752 75	\$ 285 75	\$ 78,038 50
As per report 1st October, 1858.....	247,265 41	528 58	173,790 00
As per report 30th June, 1860.....	171,793 06		
Totals.....	\$ 496,811 22	\$ 814 33	\$ 251,828 50

REAL ESTATE BONDS.	Receiv'd in exchange with State Bank.	In payment of debts, etc.	Accumulated interest.	Deposited in treasury.
As per report 1st Oct., 1856....	\$ 79,127 17	\$ 81,827 49	\$ 253 77	\$ 161,208 43
As per report 1st Oct., 1858....	175,035 00	206,171 94 $\frac{2}{3}$	458 05 $\frac{1}{3}$	381,665 00
As per report 30th June, 1860....		79,375 65	409 25	79,784 90
Totals.....	\$254,162 17	\$367,375 08 $\frac{2}{3}$	\$ 1,121 07 $\frac{1}{3}$	\$622,658 33

Total receipts in gold and silver.....\$ 121,246 83
 Total receipts in State Bank bonds..... 496,811 22
 Total receipts in Real Estate Bank bonds..... 367,375 08
 Total receipts in real estate..... 86,510 25

Total.....\$ 1,071,943 38

No. 14—CONCLUDED.

SALES OF REAL ESTATE.	No. of acres embraced in stock mortgages.	No. of acres not mortgaged for stock.	Amounts payable in state bonds.	Amounts payable in specie.
Sales as per report 1st Oct., 1858..	15,630 96	6,064 01	\$ 171,770 46	\$49,157 71
3 lots in city of Little Rock.....	.....	.....	6,000 00	.....
4 lots in town of Washington.....	.....	.....	3,000 00	.....
2 lots in town of Helena.....	.....	.....	.....	700 00
Sales as per report 30th June, 1860.	17,404 54	10,085 60	138,884 22	20,782 22
8 lots and 1 acre of ground in town of Helena .....	.....	.....	600 00	.....
6 lots in the city of Little Rock....	.....	.....	.....	10,000 00
Totals.....	33,035 50	16,149 51	\$ 320,254 68	\$80,639 93

NOTE.—The difference appearing in the foregoing statements between the amount of State Bank bonds exchanged with the Financial Receiver of that Bank, and the amount of Real Estate Bank bonds received from him, viz: \$2,333 67, results from having received that sum from the Financial Receiver in Real Estate Bank bonds in exchange for two certificates of deposit to E. Cummins and George C. Watkins, instead of State Bank bonds; which certificates had been received at this office in payment of debts.

GORDON N. PEAY, *Receiver*

June 30th, 1860.

Real Estate Bank.

No. 15.

STATEMENT OF ACCOUNT *settled and adjusted with the Auditor of Public Accounts, by order of the chancery court, showing the balance due the State of Arkansas from the Real Estate Bank on bonus account, and how paid.*

The bank was indebted to the state for amount of 5th annual bonus due 1st October, 1842, viz: \$5,000, less \$475. Interest allowed on bonds of the state, held by the bank, from 1st October, 1842, to 1st January, 1843.....	\$	4,525 00
Interest on \$4,525, from 1st December, 1842, to 30th June, 1851, (date when 3 of the bonds of the state to the bank for moneys loaned fell due) at six per centum per annum.....		2,330 38
1851, June 30th. The bank was entitled to a credit on this date, for 3 bonds of the state given for moneys borrowed from the bank, dated 30th June, 1841, and due on this date.....	\$	3,000 00
Interest thereon at 5 per centum per annum, from 1st October, 1842, to 30th June, 1851.....	1,312 50	4,312 50
Balance due the state.....	\$	2,542 88
Interest on balance from 30th June to 13th August, 1851, at six per cent. per annum.....		18 23
Principal and interest due the state.....	\$	2,561 11
1841, August 13th. The bank was entitled to a credit at this date for 3 bonds of the state given for money borrowed from the bank, dated 13th August, 1841, and due on this date.....	\$	3,000 00
Interest thereon at 5 per centum per annum from 1st Oct., 1842, to 13th August, 1851.....	1,330 41	4,330 41
Balance due the bank 13th August, 1851.....	\$	1,769 30
The bank was indebted to the state for 6th annual bonus, due 1st December, 1843.....		5,000 00
Interest thereon from 1st December, 1843, to 13th Aug., 1851	\$	2,309 99
Deduct balance due the bank 13th August, 1851, as stated above.....	1,769 30	540 69
	\$	5,540 69
Interest on \$5,000 principal of bonus from 13th August, 1851, to 30th June, 1860.....		2,664 16
The bank was indebted to the state on bonus account from 1st December, 1843, to 20th July, 1844, date of forfeiture of charter by judgment of the supreme court.....		3,301 37
Interest thereon at 6 per centum per annum from 29th July, 1844, to 30th June, 1860.....		3,153 32
30th June, 1860. Balance due state after application of credits for bonds as stated above.....		\$14,659 54

. No. 15—CONCLUDED.

Paid to the state treasurer on above account as follows, to-wit:

3 bonds of the state, numbered 33, 34 and 35, for \$1,000 each, issued by A. Yell, governor, for moneys borrowed by the state from the bank, with 5 per cent. interest thereon from 30th June, 1841, to 30th June, 1851.....					\$ 4,312 50
3 bonds of the state, numbered 36, 37 and 38, for \$1,000 each, issued by A. Yell, governor, for money borrowed by the state from the bank, with 5 per cent. interest thereon from 13th August, 1841, to 13th August, 1851.....					4,330 41
27	Coupons from State Bank bond No. 660.....				810 00
6	do	do	do	do No. 317.....	180 00
6	do	do	do	do No. 329.....	180 00
6	do	do	do	do No. 375.....	180 00
36	do	do	do	do No. 243.....	1,080 00
13	do	do	do	do No. 879.....	390 00
38	do	do	do	do No. 880.....	1,140 00
38	do	do	do	do No. 881.....	1,140 00
38	do	do	do	do No. 782.....	1,140 00
38	do	do	do	do No. 783.....	1,140 00
38	do	do	do	do No. 784.....	1,140 00
38	do	do	do	do No. 785.....	1,140 00
38	do	do	do	do No. 786.....	1,140 00
38	do	do	do	do No. 787.....	1,140 00
38	do	do	do	do No. 788.....	1,140 00
38	do	do	do	do No. 789.....	1,140 00
14	do	do	do	do No. 771.....	420 00
In gold and silver coin.....					19 54
Total paid to state in full of balance on bonus account.....					\$ 23,302 45

June 30th, 1860.

GORDON N. PEAY, *Receiver.*

OFFICE OF REC'R OF R. E. BANK OF ARKANSAS, }
Little Rock, 30th September, 1860. }

His Excellency, ELIAS N. CONWAY,
Governor of the State of Arkansas:

SIR—I have the honor to submit the accompanying statements as a supplement to my report as Receiver of the Real Estate Bank, made to the Honorable the Chancellor of Pulaski county, on the 30th day of June last, a copy of which was furnished you at that date. The statements embrace the transactions at this office, from 30th June last to this date:

No. 1.—Statement of notes paid in full since 30th June, 1860.

No. 2.—Statement of specie, State and Real Estate Bank bonds received and new notes taken since 30th June, 1860.

No. 3.—Statement of balance of cash account at this date.

No. 4.—Statement and final settlement of uncurrent money account.

No. 5.—Statement of State Bank bonds received since 30th June, 1860.

No. 7.—Statement of lands sold and redeemed since 30th June, 1860.

No. 8.—Statement of account of bonds issued by the State to the Real Estate Bank.

No. 9.—General statement of the liabilities and assets of the bank.

No. 10.—Abstract statement of certificates issued by the treasurer of the state, for deposits of bonds to meet the liability on lands mortgaged for stock.

Very respectfully, your ob't serv't,

GORDON N. PEAY,

Receiver R. E. Bank.

No. 1.**STATEMENT Of notes paid in full since 30th June, 1860.**

Date of payment.	By whom paid.	In specie.	In bonds.	In checks on deposits.	REMARKS.
July 1, 1860.....	George C. Watkins .....	.....	.....	331 20	Check of Bell & Gray.
same	Estate of S. Gaster.....	.....	\$6,570 00	8,759 65	Check of John H. Crease.
July 17, 1860....	V. B. Izard.....	.....	.....	1,738 67	same
Aug. 12, do	Abel Warren.....	.....	.....	216 42	same
Sept. 15, do	Daniel H. Sessions.....	25,384 03	.....	.....	
same	R. R. Sessions.....	1,292 85	.....	.....	
same	Ferguson & Kasee	392 10	.....	.....	
		\$27,068 98	\$6,570 00	\$11,045 94	
Total in specie.....					\$27,068 98
Total in checks on deposit.....					11,045 94
Total in bonds					6,570 00
Total.....					\$44,684 92

September 30, 1860.

GORDON N. PEAY, *Receiver.*

NO. 2.

STATEMENT *Of specie, State and Real Estate Bank bonds received, and new notes taken since 30th June, 1860.*

Date.	From whom received.	Specie.	State Bank bonds.	Real Estate Bank Bonds.	New notes taken since 30th June, '60.	REMARKS.
July 1, 1860	John H. Crease		6,420 00			On deposit.
same	Estate of S. Gaster		120 00	6,450 00		Payment on debt.
July 25, do	Chicot county scrip.	2,604 80				Part of uncurrent money acc't.
same	T. N. Prewett	746 66			1,593 34	Purchase of land, payable in
Aug. 15, do	John H. Crease		15,560 00	1,170 00		On deposit. [specie.
same	R. P. Rankin	4,990 67	17,090 00	10,707 50		On redemption of lands, and on
Sept. 15, do	D. H. Sessions	25,384 03				Payment of debt [debt.
same	R. R. Sessions	1,292 85				same
same	Ferguson & Kasee	392 10				same
		\$35,411 11	\$39 190 00	\$18,327 50	\$1,593 34	

Receipts in specie	\$35,411 11
Receipts in State Bank bonds	39,190 00
Receipts in Real Estate Bank bonds	18,327 50
Receipts in notes	1,593 34

Total receipts from 30th June to 30th September, 1860 \$94,551 95

30th September, 1860.

GORDON N. PEAY,
Receiver.

No. 3.**STATEMENT Of Cash Account of Gordon N. Peay, as Receiver of the Real Estate Bank.**

Sept. 30, 1858.	Balance of cash on hand as per report of this date, folio 10.....	\$2,275 47
June 30, 1860 .	Balance of cash on hand as per report of this date, folio 20	41,152 10
	Amounts received since 30th June, 1860:	
July 25, do ..	Cash received for \$2,200 Chicot county scrip, with \$404 50 interest	2,604 80
same	Cash received from T. N. Prewit in part payment for land	746 66
Aug. 15, do ..	Cash received from R. P. Rankin, for redemption of land and in part of debt	4,990 67
Sept. 15, do ..	Cash received from D. H. and R. R. Sessions in payment of debts	26,676 88
same	Cash rec'd from Ferguson & Kasee, in paym't of debt	392 10
	Balance of cash in hands of receiver.....	<u>\$78,838 68</u>

September 30th, 1860.

GORDON N. PEAY,
Receiver.**No. 4.****STATEMENT Of final settlement and result of "Uncurrent Money" account.**

The receiver was charged with the following assets turned over to him by the late trustees of the bank, to debit of uncurrent money account, viz:

In Chicot county scrip.....	\$4,400 00
In swamp land scrip.....	2,482 90
In notes of insolvent banks of Mississippi	471 00
In note of insolvent bank of Illinois	10 00
In Little Rock corporation notes.....	3 12

Total \$7,367 02

And the following amounts have been realized on this account, viz:

Upon Chicot county scrip, principal and interest	\$5,024 80 in specie.
Upon swamp land scrip, in specie.....	\$ 29 61
do do do upon lands entered, in bonds. 7,479 10	7,508 71

Total realized.....\$12,533 51

In specie..	\$5,054 41
In state bonds.....	7,479 10

Leaving a balance of account, \$484 12, consisting of the uncurrent Mississippi, Illinois and Little Rock corporation notes; all of which are worthless.

30th September, 1860.

GORDON N. PEAY,
Receiver.

No. 5.

**STATEMENT Of State Bank Bonds received by Gordon N. Peay, Receiver of Real Estate Bank, from the
1st July, to 30th September, 1860.**

When received.	No. of bond.	From whom received.	Principal of bonds.	Interest due on bonds when received..	REMARKS.
July 1, 1860.....	255	John H. Crease.....	1,000 00	1,140 00	
same	256	same	1,000 00	1,140 00	
same	257	same	1,000 00	1,140 00	
same	141	Estate of S. Gaster, (1 coupon).....	.....	30 00	
same	142	same (1 coupon).....	.....	30 00	
same	143	same (1 coupon).....	.....	30 00	
same	326	same (1 coupon).....	.....	30 00	
Aug. 15, 1860 ...	254	John H. Crease.....	1,000 00	637 50	
same	243	same	1,000 00	37 50	
same	258	same	1,000 00	1,147 50	
same	259	same	1,000 00	1,147 50	
same	260	same	1,000 00	1,147 50	
same	261	same	1,000 00	1,147 50	
same	262	same	1,000 00	1,147 50	
same	263	same	1,000 00	1,147 50	
same	141	Robert P. Rankin.....	1,000 00	1,147 50	
same	142	same	1,000 00	1,147 50	
same	143	same	1,000 00	1,147 50	
same	271	same	1,000 00	1,147 50	
same	272	same	1,000 00	1,147 50	
same	273	same	1,000 00	1,147 50	
same	274	same	1,000 00	1,147 50	
same	275	same	1,000 00	1,147 50	
			\$19,000 00	\$20,190 00	

Principal and interest received from 1st July to 30th September, 1860	\$39,190 00
Interest accrued on same from date of receipt to 30th September, 1860.....	165 00
Principal and interest of bonds on hand 30th June, 1860, as per Statement No 6, folio 29, of report, of that date.....	237,656 25
Interest accrued on same from 30th June to 30th September. 1860	1,815 00
• Total principal and interest on hand.....	\$278,826 25

30th September, 1860.

GORDON N. PEAY,
Receiver.

NO. 6.

**STATEMENT Of Real Estate Bank Bonds received by Gordon N. Peay, Receiver of Real Estate Bank,
from 1st July, to 30th September, 1860.**

When received.	No. of bond.	From whom received.	Principal of Bonds.	Interest due on bonds when received.	Interest accumulated to date of deposit with state treasurer.	REMARKS.
July 1st, 1860....	855	Estate of Stephen Gaster.....	1,000 00	1,140 00	62 50	Deposited in state treasury 15th Sept., 1860.
same	856	same	1,000 00	1,140 00		same
same	898	same	1,000 00	1,140 00		same
same	758	same (1 coupon).....	.....	30 00		same
August 15, 1860 .	400	John H. Crease, (1 coupon).....	.....	30 00		same
same	600	same (38 coupons) .....	.....	1,140 50		same
same	425	Robert P. Rankin.....	1,000 00	1,117 50		same
same	595	same	1,000 00	1,147 50		same
same	596	same	1,000 00	1,147 50		same
same	597	same	1,000 00	1,147 50		same
same	599	same	1,000 00	1,147 50		same
			\$8,000 00	\$10,327 50		
Total deposited in state treasury since 30th June, 1860.....						\$18,390 00

30th September, 1860:

GORDON N. PEAY,
Receiver.

No. 7.

STATEMENT—Of Lands sold and redeemed since 30th June, 1860.

Date of deed.	To whom conveyed.	$\frac{1}{4}, \frac{1}{2}$ or part of $\frac{1}{4}$ section.	$\frac{1}{4}$ or $\frac{1}{2}$ of Sec.	Section.	Township.	Range.	No. of acres not stock lands.	Amount paid in bonds.	Amount paid in specie & notes.	Amount paid in checks on deposit.	REMARKS.
Jan. 25 '60	T. N. Prewitt...	e hf	19	15 s	5 w		560 00		2,240 00		\$746 66 paid on purchase and notes for residue, payable in 1 & 2 years, with 8 per cent. interest from date and payment secured by mortgage.
		sw	20	do	do						
		w hf	nw	20	do						
Aug. 15, do	Robert P. Rankin	sec.	17	p't of sec.	3 s	3 e	1,708 98	27,797 50	4,821 98	\$18,480 57	
		sec.	18			do					
		do	20			do					
		do	29			do					
							2,268 98	\$27,797 50	\$7,061 98	\$18,480 57	

Total 2,268 98 acres sold and redeemed for sum of \$53,340 05.

Number of acres of land not stock, unsold 30th June, 1860, as per report.....	20,702 68
Deduct above described lands sold and redeemed since that date	2,268 98

Balance of lands not stock, unsold.....	18,433 70
---	-----------

1 Town lot in Van Buren, unsold.

Number of acres of land which have been mortgaged for stock, as per report of 30th June, 1860, folio 47.....	28,242 65
--	-----------

30th September, 1860.

GORDON N. PEAY,
Receiver R. E. Bank.

No. 8.

STATEMENT *Of Bonds issued by the State to the Real Estate Bank of Arkansas.*

Oct. 1st, 1858. Principal and interest on bonds sold by the Bank out- standing and unredeemed on the 1st day of Oct., 1858, as per table marked "O" of report of the Au- ditor to the Governor of this date			\$1,791,830 00
Interest on the principal of said bonds, (946 in number) at six per centum per annum from 1st Oct., 1858, to 1st Oct., 1860.....			113,520 00
Principal received by the Bank upon the hypothecation of 500 bonds to the North American Trust and Banking Company.....			121,336 59
Interest thereon at six per centum per annum from the 7th day of September, 1840.....			146,069 12
Principal and interest 30th Sept., 1860.....			\$2,172,755 71
From which amount deduct the bonds, coupons and interest, redeemed, canceled and deposited in State Treasury from 1st Oct., 1858, to 1st Oct., 1860.			
	Coupons and interest.	Principal.	
April 1st, 1859. 20 bonds deposited at this date		\$20,000 00	
Coupons and interest on same at date of deposit.	\$ 21,240 00		
Interest on 20 bonds from date of deposit to 30th Sept., 1860	1,800 00		
March 31, 1860. 11 bonds deposited at this date		11,000 00	
Coupons and interest on same at date of deposit	12,375 00		
Interest on 11 bonds from date of deposit to 30th Sept., 1860	330 00		
June 30, 1860. 8 bonds deposited at this date		8,000 00	
Coupons and interest on same at date of deposit.	7,170 00		
Interest on 8 bonds from date of deposit to 30th Sept., 1860.....	120 00		
Sept'r 15, 1860. 8 bonds deposited at this date		8,000 00	
Coupons and interest on same at date of deposit.	10,390 00		
Interest on 8 bonds from date of deposit to 30th Sept., 1860	20 00		
	\$ 53,445 00	\$47,000 00	
Principal and interest.....			\$ 100,445 00
Bal. of principal and int. outstanding 30th Sept., 1860..			\$2,072,310 71
Which balance consists as follows:			
Principal of amount received upon hypothe- cated bonds....			\$121,336 59
6 per cent. interest thereon from 7th Sept., 1840, to 30th Sept., 1860.....			146,069 12
Principal of 899 bonds sold by the Bank.			899,000 00
Bal. of int. on same to 30th Sept., 1860,			905,905 00
			\$2,072,310 71

NO. 9.**GENERAL STATEMENT Of the Liabilities and assets of
the Real Estate Bank of the State of Arkansas, on the 30th
day of September, A. D. 1860.****LIABILITIES.**

Balance of principal and interest due on the bonds of the State issued to the Real Estate Bank	\$2,072,310 71
Balance of circulation unredeemed	12,755 00
Balance to credit of individuals not applied as credits on notes.....	623 14
Balance of expenses of trust for the year 1860, unpaid, including taxes on real estate belonging to the Bank.....	4,200 00

ASSETS.

BALANCE OF BILLS RECEIVABLE ACCOUNT.	\$	\$	
Amount of debts classed as worthless, principal	400,617 61		
do do do as doubtful do	109,037 54		
		509,655 15	
AMOUNTS CLASSED AS GOOD.			
Amounts payable in bonds with the interest due thereon to 30th Sept'r., 1860.....	137,983 20		
Amount payable in gold and silver with the interest due thereon to 30th Sept'r., 1860....	64,276 00		
		202,259 20	
Balance due on account of rents.....		3,150 00	
BALANCE OF REAL ESTATE ACCOUNT, VIZ:			
28,242 65-100 acres of lands mortgaged for stock, and 18,433 70-100 acres of lands not embraced in the stock mortgages, and 1 lot in Van Buren, the value of all which in bonds is estimated at the sum of		195,000 00	
STATE BOND ACCOUNT.			
139 bonds of the State issued to State Bank, with coupons and interest thereon to 30th Sept'r., 1860.....		278,826 25	
Uncurrent money, worthless		484 12	
Balance of cash account, gold and silver in hand.....		78,838 68	1,268,213 40
Balance			\$821,675 45
To this bal. add assets-classed as doubtful and worthless as stated above.			510,139 27

Balance of liabilities over assets classed good.....\$1,331,814 72

ASSETS, CLASSED AS GOOD, AS STATED ABOVE, VIZ:

Bills and notes payable in bonds.....	\$ 137,983 20
do do in specie.....	64,276 00
Estimated value of real estate	195,000 00
Balance of account for rents.....	3,150 00
Amount of State Bank bonds, coupons and interest.....	278,826 25
Balance of gold and silver in hands of Receiver.....	78,838 68

Total balance of good assets.....\$ 758,074 13

GORDON N. PEAY,
Receiver.

30th September, 1860.

No. 10.

ABSTRACT STATEMENT *Of certificates of the Treasurer of the State for deposits of Real Estate Bank Bonds, to meet the liability upon lands mortgaged for stock, under act of the General Assembly, approved 13th January, 1857, amendatory of the act establishing a separate court of chancery.*

Date of certificates.	No. of bond.	By whom deposited.	Principal of Bonds deposited.	Interest on bonds to 30th September, 1860.	Description of lands mortgaged.					REMARKS.
					1/4, 1/2 or part of 1/4 section.	1/4 or 1/2 of Sec.	Section.	Township.	Range.	
March 10, '58	42	Victor M. Flournoy.....	10,000 00	1,350 00	s hf 4	3 n	7 e	1,146 17		Only the undivided half of the tracts mortgaged by Parry W. Porter, assignee of Geo. W. Ferribee, to secure 236 shares of stock in Real Estate Bank.
same	45	same			nw 4	do	do			
same	46	same			w hf ne 4	do	do			
same	47	same			sec 9	do	do			
same	48	same			w hf 10	do	do			
same	472	same			se 10	do	do			
same	475	same			s hf 11	do	do			
same	476	same			efr hf 15	do	do			
same	742	same			w hf sw 3	do	do			
same	953	same								
May 7, do	63	Mrs. E. R. Wright, as ex. of Morehead			w hf 1	17 s	25 w	998 08		Mortgaged by Morehead Wright to secure 300 shares of stock.
	238	Wright, deceased			ehf ne 2	do	do			
	243	same			nw ne 2	do	do			
	301	same			ehf se 2	do	do			
	310	same			w hf 36	16	do			
	313	same			se 35	do	do			
	330	same								
	337	same								
	338	same								
	340	same								
	525	same								
	566	same								

	567	same																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																		
--	-----	------	-------	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

OFFICE OF RECEIVER OF REAL ESTATE BANK, }
Little Rock, Ark., September 10th, 1860.)

His Excellency, ELIAS N. CONWAY,

Governor of the State of Arkansas:

SIR—In pursuance of the instructions contained in the enclosed copy of the order of the honorable, the chancery court of Pulaski county, made at the June term, 1860, I herewith deliver to your excellency, 804 bonds, which were issued by the state to the Real Estate Bank, dated 25th November, 1837, each for the sum of \$1,000, payable 26th October, 1861, bearing interest at the rate of 5 per centum per annum, from date, signed by J. S. Conway, governor, and countersigned by Wm. E. Woodruff, treasurer, and which are not numbered or sealed with the seal of the state.

Very respectfully, your ob't serv't,

GORDON N. PEAY,

Receiver R. E. Bank.

IN THE PULASKI CHANCERY COURT.

At the June Term thereof, A. D. 1860.

Present, the Hon. H. F. FAIRCHILD, Chancellor.

BONDS AND BLANK IMPRESSIONS OF BANK NOTES.

On this day the receiver of the assets of the Real Estate Bank, reported to the court here, that there remains on the files of his office, the original five per cent. bonds issued by the state to the Real Estate Bank, signed by J. S. Conway, as governor, and countersigned by Wm. E. Woodruff, as treasurer, not numbered or sealed with the seal of the state, and which bonds were not negotiated by the bank, and also blank impressions of the notes of said bank, and asking directions as to the disposition to be made of the same. Upon consideration whereof, it is ordered by the court, that the receiver return said bonds to the governor of the state, and take his certificate therefor, and that he register and burn said blank impressions of bank notes in the presence of his attorney, and take his certificate as to the fact of burning the same.

A true copy from the record.

Attest:

GORDON N. PEAY, *Clerk*
Pulaski Chancery Court.

TREASURER'S OFFICE,
LITTLE ROCK, ARKANSAS,*September 27th, 1860.*

Received of Gordon N. Peay, receiver in chancery of the assets of the Real Estate Bank of the State of Arkansas, per the hands of Elias N. Conway, governor of the State of Arkansas, eight hundred and six five per cent. bonds, which were issued by the state to the Real Estate Bank, dated 25th November, 1837, each for the sum of one thousand dollars (\$1,000,) payable 26th October, 1861, bearing interest at the rate of five per cent. per annum from date, signed by J. S. Conway, governor, and countersigned by Wm. E. Woodruff, treasurer, and which are not numbered, or sealed with the seal of the state, and which bonds were never negotiated by the bank. Said bonds were deposited with governor Elias N. Conway, by an order of the chancery court, made at the June term, A. D. 1860, and by him delivered to the treasurer; which bonds I have duly canceled and deposited in my office.

[L. s.] IN TESTIMONY WHEREOF, I have hereunto set
my hand and affixed my seal of office this the
above written date.

JOHN QUINDLEY,
Treasurer of Arkansas.

(Signed Triplicates.)

The following message was received from the governor:

Mr. PRESIDENT—

I am instructed by the governor to report to the Senate that on the 15th day of January, 1861, he approved and signed "an act to authorize the common school commissioner of Lawrence county, to sell the yet unsold portion of section sixteen, in township 18, north of range 5 west."

And on the 17th day of January, 1861, "an act to incorporate the city of Ozark."

"An act to reorganize the corporation of the town of Washington."

"An act in reference to appeals in swamp land cases to the auditor."

"An act to authorize the clerks of the circuit courts of Clark and Scott counties, to transcribe certain records in their offices."

And on the 18th day of January, 1861, "an act authorizing the purchase of a culvert for Old river, in Pulaski county."

W. M. MATHENY,
Private Secretary.

January 18th, 1861.

Mr. Gray called up House bill No. 320, entitled "an act to aid the cause of education in Bradley, Prairie and Fulton counties;" which was read the first time.

On his motion, the rules were twice suspended, the bill read the second and third times by title, and passed.

Mr. Gray, on leave, called up House joint resolution No. 20, proposing to amend the constitution of the state, as follows:

"*Resolved*, That section 29, of article 4, of the constitution of the state, be so amended that a new county may be formed out of a portion of the territory of the counties of St. Francis and Jackson; *And provided further*, That said new county shall not contain less than six hundred square miles, and a population sufficient to entitle it to a representative in the lower house of the legislature; *And provided further*, That the said counties of St. Francis and Jackson, in the establishment of said new county, shall not be reduced below six hundred square miles, and a population sufficient to entitle them to a member each, in the lower branch of the legislature."

Said proposed amendment was read the third time, and Mr. President ordered the yeas and nays thereon, when the following senators voted for the same:

YEAS—Messrs. Askew, Belser, Clark, Davies, Fagan, Gray,

Lemoyne, McAlexander, McCreery, Mitchell, Oates, Pennington, Terry, Trimble, Watkins and Mr. President—16.

Those senators voting in the negative, were

Messrs. Carrigan, Craighead, Douglas, McCulloch, Mecklin and Ward—6.

Whereupon the chair decided that said joint resolution was constitutionally adopted.

House bill No. 16, to be entitled "an act for the relief of certain persons holding certificates of application to purchase certain swamp lands in the old Helena district," having been returned from the House, was, on motion of Mr. Davies, taken up and read for information.

Mr. Oates offered to amend the bill by an additional section, to-wit:

SEC. —. *Be it further enacted*, That the provisions of this act extend alone to those persons who were actual residents of this state, at the time they received from said Jesse A. Jackson the certificates mentioned in the first section of this act, such residents to be ascertained by the land agent of the Batesville district, upon the affidavit of the party holding such certificate, together with the affidavits of two credible citizens of the state, their credibility to be certified by the clerk of the county in which they reside.

On motion of Mr. Oates said amendments were adopted.

On motion of Mr. Davies, the bill was read the third time by title, when Mr. Rosson called for the yeas and nays on its passage, which call was sustained and ordered with the following result:

YEAS—Messrs. Carrigan, Clark, Davies, Douglas, Fagan, Gray, McAlexander, McCulloch, McCreery, Oates, Ward and Mr. President—12.

NAYS—Messrs. Craighead, Mecklin, Mitchell, Rosson, Terry, Trimble and Watkins—7.

Mr. Fagan, from the committee on enrollments, made the following:

REPORT:

Mr. PRESIDENT—

The committee on enrollments have examined "an act to aid the Arkansas Institute for the Blind, which was

incorporated on the 4th day of February, 1859," and find the same correctly enrolled.

FAGAN, *Chairman*.

Which report was received.

On motion of Mr. Watkins, the Senate took a recess until 3 o'clock, p. m.

3 O'CLOCK, P. M.

Senate met.

Roll called.

P R E S E N T :

Messrs. Askew, Belser, Carrigan, Clark, Craighead, Davies, Douglas, Fagan, Gray, Lemoyne, McAlexander, McColloch, McCreery, Mecklin, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—23.

Mr. McColloch called up House bill No. 44, to be entitled "an act for the relief of persons holding swamp land scrip which is out of date;" which was read the first time.

On his motion the rules were twice suspended, the bill read the second and third times by title and passed.

Mr. McCreery called up House bill No. 83, entitled "an act to repeal an act declaring Cache river navigable;" which was read the third time and passed.

Mr. Mecklin called up House bill No. 315, to be entitled "an act to authorize and require the common school commissioner of Washington county to sell certain school lands in said county;" which was read the first time.

On his motion, the rules were twice suspended, the bill read the second and third times by title and passed.

Mr. Mitchell called up House bill No. 329, entitled "an act to prevent trespassing upon the school lands in the counties of Pulaski, Izard, Fulton, Marion, Searcy, Bradley and Van Buren," which was read the first time.

On his motion, the rules were twice suspended, and the bill read the second and third times by title, and passed.

Mr. Oates called up House bill No. 324, to be entitled "an act supplementary to an act to provide for the election of a tax collector for Phillips county," which was read the first time.

Mr. Oates called for the yeas and nays on the passage of said bill, which call was sustained and ordered, with the following result:

YEAS—Messrs. Carrigan, Clark, Craighead, Davies, Gray, Lemoyne, Mitchell, Oates, Pennington, Rosson, Ward, Watkins and Mr. President—13.

NAYS—Messrs. Askew, Belser, Douglas, Fagan, McAlexander, McColloch, McCreery, Mecklin, Terry and Trimble—10.

So the bill passed.

Mr. Mecklin asked and obtained leave of absence for the evening, on account of sickness.

Mr. Lemoyne called up House bill No. 300, to be entitled "an act to change time of holding the probate court of Perry county, and for other purposes;" which was read the first time.

On his motion, the rules were twice suspended, and the bill read the second and third times by title, and passed.

Mr. Davies, on leave, made the following

REPORT:

Mr. PRESIDENT—

The committee on claims, to which was referred Senate bill No. 147, "for the relief of Jesse Wells," have had the same under consideration, and instructed me to report the same back to the Senate, and to recommend its passage.

JAS. F. DAVIES,
Chairman.

Said report was received; and

On motion of Mr. McAlexander, the bill was read the third time and passed.

The following message was received from the governor:

EXECUTIVE OFFICE, *Little Rock,* }
January 18th, 1861.)

Mr. PRESIDENT—

As matter of information to the honorable members of the General Assembly, who will, in a few days, repair to their

respective constituencies, I communicate to your honorable body a circular letter, received by me, this morning, from the governor of the State of New York, accompanied by a copy of the joint resolutions passed by the legislature of that state, on the 11th inst., announcing distinctly a determination to aid the federal government in the attempt now being made by the President of the United States, to coerce any, or all sovereign states of the South, which, by the action of their people, may have, or shall, in future, determine to exercise the constitutional right of reforming their government.

The constitution of the Union, and the constitutions of all the states, expressly reserves and perpetuates these rights in the hands of the people, and no human authority within the confines of this broad republic, can rightfully deprive them of that privilege by coercion, war and blood shed. You who have authority have recently provided for the assembling of our people in convention, if they wish it, on the 4th of March next. With their verdict all ought, and must needs be content. They are wise and patriotic, and I, as their executive servant, will obey their mandates with alacrity and pleasure, irrespective of what my own convictions are, and have been, touching this most embarrassing and trying difficulty.

The executive respectfully requests that the accompanying papers may be communicated to the lower branch of the General Assembly, through its honorable chairman, as they are certainly indicative of an approaching conflict of stupendous magnitude.

HENRY M. RECTOR.

STATE OF NEW YORK,
Executive Department,
Albany, Jan. 11th, 1861.

SIR: In obedience to the request of the legislature of this state, I transmit herewith a copy of the concurrent resolutions of that body, adopted this day, tendering the aid of the state to the President of the United States, to enable him to enforce the laws and to uphold the authority of the federal government.

I have the honor to be

your excellency's ob't serv't,

EDWIN D. MORGAN.

His Excellency, HENRY M. RECTOR,

Governor of the State of Arkansas,

Little Rock.

CONCURRENT RESOLUTIONS,

Tendering aid to the President of the United States in support of the Constitution and the Union.

STATE OF NEW YORK,
In Assembly, Jan'y 11, 1861. }

WHEREAS, treason, as defined by the constitution of the United States, exists in one or more of the states of this confederacy; and

Whereas, the insurgent state of South Carolina, after seizing the post-office, custom house, moneys and fortifications of the federal government, has, by firing into a vessel, ordered by the government to convey troops and provisions to Fort Sumter, virtually declared war; *And whereas*, the forts and property of the United States government, in Georgia, Alabama and Louisiana, have been unlawfully seized with hostile intentions; *And whereas further*, senators in congress avow and maintain their treasonable acts; therefore,

Resolved, (if the senate concur,) that the legislature of New York profoundly impressed with the value of the Union, and determined to preserve it unimpaired, hail with joy the recent firm, dignified and patriotic special message of the President of the United States, and that we tender to him through the chief magistrate of our own state, whatever aid in men and money he may require, to enable him to enforce the laws and uphold the authority of the federal government; and that in defence of "the more perfect union," which has conferred prosperity and happiness upon the American people, renewing the pledge given and rendered by our fathers, we are ready to devote "our fortunes, our lives, and our sacred honors" in upholding the Union and the constitution.

Resolved, (if the senate concur,) That the Union-loving representatives and citizens of Delaware, Maryland, Virginia, North Carolina, Kentucky, Missouri and Tennessee, who labor with devoted courage and patriotism to withhold their states from the vortex of secession, are entitled to the gratitude and admiration of the whole people.

Resolved, (if the senate concur,) That the governor be respectfully requested to forward forthwith copies of the foregoing resolutions to the president of the nation, and the governors of all the states of the Union.

The preceding preamble and resolutions were duly passed.

By order,

H. A. RISLEY, *Clerk.*

In Senate, January 11th, 1861.

The preceding preamble and resolutions were duly passed.

By order,

JAMES TERWILLIGER, *Clerk.*

On motion of Mr. Trimble, the secretary was directed to transmit the foregoing circular letter and resolutions to the House of Representatives.

Message from the House of Representatives, by the clerk:

MR. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have passed House bill No. 366, entitled "an act supplementary to an act entitled 'an act to protect the overflowed land in Chicot county.'"

Said bill is herewith transmitted for the assent of your honorable body, which is respectfully asked.

S. M. SCOTT, *Clerk of
House of Representatives.*

Mr. Askew moved to print one hundred copies of the message and resolutions just transmitted to the Senate.

Mr. Pennington called up House bill No. 280, to be entitled "an act to grant a charter to Newport Floyd, Andrew J. Jones and James Law, to make a turnpike through the counties of Hot Spring, Clark, Montgomery, Pike and Sevier;" which was read the first time.

On his motion, the rules were suspended; and the bill read the second time by title.

Mr. Davies offered to amend the bill by an additional section, to-wit:

SEC. 1. *Be it further enacted*, That before the company, herein provided for, shall collect toll from persons passing over said road or property until the certificate of the sheriff of the counties through which the said road passes shall have been procured and filed in the clerk's office of the proper county, certifying that the said road is a first class turnpike road.

Which amendment was read and adopted.

Mr. Davies moved to suspend the rules for the third reading of the bill, but, on motion of Mr. Fagan, the same was referred to a select committee of three, with instructions to report tomorrow morning.

Messrs. Fagan, Carrigan and Pennington were appointed as such committee.

Mr. Rosson called up House bill No. 339, to be entitled "an

act to amend the road laws of this state;" which was read the first time.

On his motion, the rules were suspended, the bill read the second time, and referred to the committee on internal improvements.

Mr. Terry called up House bill No. 139, to be entitled "an act to secure to the State of Arkansas her full federal representation in Congress;" which was read the first time.

On his motion, the rules were suspended, and the bill read the second time by title.

On motion of Mr. Clark, the rules were further suspended, the bill read the third time by title, and passed.

Mr. Fagan, from the committee on enrollments, made the following

REPORT:

Mr. PRESIDENT—

The committee on enrollments have examined "an act to repeal all laws and parts of laws declaring Petit Jean creek a navigable stream," and find the same correctly enrolled.

FAGAN, *Chairman.*

Which report was received.

Mr. Trimble called up House bill No. 21, to be entitled "an act to provide for the election of a tax assessor and collector in the counties of Poinsett and Independence;" and

On his motion, the Senate receded from its fourth amendment thereto, providing for the election of an assessor and collector of taxes in Pulaski county.

Mr. Ward called up House bill No. 270, to be entitled "an act amendatory of the laws of this state in relation to the liquidation of the banks of the State of Arkansas, and for other purposes;" which was read the first time.

On his motion, the rules were twice suspended, the bill read the second and third times by title, and passed.

Message from the House of Representatives by the clerk:

Mr. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have assented to Senate bills:

No. 108, entitled "an act to provide for the sale of runaway slaves confined in the penitentiary."

No. 111, entitled "an act to legalize the sale of a portion of the 16th section, in township 9 north, range 6 west, in White county."

No. 39, entitled "an act to incorporate the Merchants' and Planters' Insurance Company of Little Rock."

No. 67, entitled "an act for paying the expenses accruing for the inauguration of the present governor of the State of Arkansas."

No. 47, entitled "an act to provide for refunding on swamp land entries erroneously made."

No. 76, entitled "an act supplementary to an act to provide more fully for the incorporation of the town of Paraclifta."

No. 45, entitled "an act to revive an act passed by the General Assembly of this state in 1850,-'51."

No. 138, entitled "an act to repeal all laws and parts of laws declaring Petit Jean creek, in Yell county a navigable stream."

Said eight Senate bills are herewith returned.

The House of Representatives have concurred in the following Senate resolutions, to-wit:

No. 11, relative to a mail route from Fort Smith to Dallas, in Polk county.

No. 3, relative to graduation of reserved railroad lands along Little Rock and Fort Smith branch of Cairo and Fulton railroad.

No. 7, relative to a mail route from Benton, Saline county, to Mt. Ida, Montgomery county.

No. 6, for the establishment of certain mail routes in northeastern Arkansas.

Said 4 joint resolutions are herewith returned.

The House of Representatives have rejected the following Senate resolutions.

One relative to the election of commissioner to meet commissioners of other slaveholding states.

One, to make committees on public buildings a joint committee.

One, relative to election of U. S. senator.

One, relative to election of land attorney and state collector.

One, relative to appointing a committee on landed interest.

Said five resolutions are herewith returned.

The House of Representatives have passed the following House bills, to-wit:

No. 364, entitled "an act to incorporate a ferry privilege across the Mississippi river at the city of Helena."

No. 365, entitled "an act to provide for the election of a tax

assessor in the counties of Ashley, Bradley, Yell, Phillips, Crawford, Madison, Polk, Fulton and Lawrence.”

Said two House bills are herewith transmitted for the assent of your honorable body, which is respectfully asked.

S. M. SCOTT, *Clerk of*
House of Representatives.

Mr. Oates was called to the chair.

Mr. President called up House bill No. 302, entitled “an act for the relief of McNeil and Gracie;” which was read the first time.

On his motion, the rules were suspended, the bill read the second time by title.

On motion of Mr. President, the 1st section of the bill was amended by striking out the words “said Pine Bluff,” and inserting “the Little Rock.”

On his motion, the rules were again suspended, the bill read the third time by title and passed.

No. 81. Mr. Askew called up Senate bill, to be entitled “an act to enable married women to dispose of their separate estates;” which was read for information.

The bill being subject to amendment, Mr. Rosson moved to amend by striking out the third section.

On motion of Mr. President, the bill was postponed indefinitely.

Mr. Belser called up House bill No. 366, entitled “an act supplementary to an act entitled ‘an act for the protection of the overflowed lands in Chicot county;’” which was read the first time.

On motion of Mr. President, the rules were suspended, and the bill read the second time by title.

On motion of Mr. Clark, the rules were further suspended, the bill read the third time by title and passed.

Mr. Fgan, from the committee on enrollments, made the following

REPORT:

Mr. PRESIDENT—

The committee on enrollments have examined the

following, and find the same correctly enrolled: "an act to legalize the sale of the 16th section, in township 9 north, range 6 west, in White county."

FAGAN, *Chairman*.

Which report was received.

Mr. Carrigan called up House bill No. 229, entitled "an act to incorporate the Male and Female Seminary of Spring Hill, in Hempstead county, Arkansas;" which was read the first time.

On his motion, the rules were twice suspended, the bill read the second and third times by title and passed.

The following message was received from the House of Representatives by their clerk:

Mr. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have concurred in all the Senate amendments to House bill No. 327, entitled "an act making appropriations for the year 1861, and for part of the year 1862, and for balances due from the state," except the amendment to section 4, which proposes to strike out \$4 per day, and insert \$3, in relation to the per diem pay of the page of the House of Representatives.

S. M. SCOTT, *Clerk*

of House of Representatives.

Mr. Davies, from the committee on claims, made the following

REPORT:

Mr. PRESIDENT—

The committee on claims, to which was referred House bill No. 265, for the relief of Wm. A. Porter, sheriff of Sebastian county, have considered the same, and instruct me to report the same back to the Senate and recommend its passage.

DAVIES, *Chairman*.

Said report was received, and on motion of Mr. Davies the bill was read the third time and passed.

On motion of Mr. President, the Senate receded from their amendment to the general appropriation bill relative to the per diem pay of the page to House.

Mr. Craighead called up House bill No. 313, entitled "an act

to alter rules of practice in circuit courts," which was read the first time.

On motion of Mr. Clark, the rules were twice suspended the bill read the second and third times, by title, and passed.

Mr. Davies called up House joint resolution No. 39, relative to the Cairo and Fulton railroad company and branches; which was read the first time.

Mr. Carrigan moved to postpone the resolution indefinitely, which motion was lost.

On motion of Mr. Davies, the resolution was read the second time.

Mr. Clark offered to amend by adding as follows:

Resolved further, That no part of the foregoing resolution shall apply to the Little Rock and Ft. Smith branch of the Cairo and Fulton railroad.

Which amendment was adopted.

On motion of Mr. Davies, the resolution, as amended, was concurred in by the Senate.

Mr. Douglas called up House bill No. 152, entitled "an act to repeal sections 26, 29 and 30, of chapter 149, of Gould's Digest, under the head of roads and highways, and to substitute others in lieu thereof, and for other purposes;" which was read the first time.

On his motion, the rules were suspended and the bill read the second time, by title, and passed.

Mr. Rosson moved to adjourn until 9 $\frac{1}{2}$ o'clock to-morrow morning; which motion was lost.

Mr. Fagan called up House bill No. 248, entitled "an act amendatory of an act entitled an act to incorporate the Little Rock and Ft. Smith railroad company, approved 22d January, 1855, and for other purposes;" which was read the first time.

On motion of Mr. Fagan, the rules were suspended, the bill read the second time by title, and,

On motion of Mr. Clark, was referred to a select committee of three.

Messrs. Clark, Fagan and Belser were appointed such committee.

Mr. Gray called up House bill No. 262, entitled "an act amendatory of the attachment laws of this state;" which was read the first time.

On motion of Mr. Askew, the rules were suspended, and the bill read the second time by title.

Mr. Pennington moved to refer it to a select committee; which motion was lost.

On motion of Mr. McColloch, the rules were further suspended and the bill read the third time, when

Mr. Rosson called for the yeas and nays on the passage of the bill.

Which call was sustained and ordered with the following result:

YEAS—Messrs. Askew, Belser, Clark, Davies, Douglas, Gray, Lemoyne, McAlexander, McColloch, McCreery, Oates, Terry, Trimble, Ward and Mr. President—15.

NAYS—Messrs. Carrigan, Craighead, Fagan, Pennington, Rosson and Watkins—6.

So the bill passed.

The following message was received from the House of Representatives by the clerk:

Mr. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have passed substitute House bill No. 368, entitled an act to establish separate courts in the county of Sebastian.

Said bill is herewith transmitted for the assent of your honorable body, which is respectfully asked.

S. M. SCOTT, *Clerk of
House of Representatives.*

Mr. Lemoyne called up House bill No. 190, to be entitled "an act to repeal the levee laws so far as the Washington swamp land district is concerned;" which was read the first time.

On motion of Mr. Carrigan, the rules were twice suspended, the bill read the second and third times, by title, and passed.

Mr. McAlexander called up House bill No. 227, entitled "an

act to permanently locate the county seat of Fulton county;" which was read the first time.

On his motion, the rules were twice suspended, the bill read the second and third times, by title, and passed.

Mr. McColloch called up House bill No. 344, entitled "an act amendatory of the militia law of the State of Arkansas;" which was read the first time.

On his motion, the rules were suspended, and the bill read the second time, by title.

Mr. Rosson moved to amend the first section of the bill by striking out the words "practicing physicians;" which amendment was lost.

Mr. Carrigan moved to amend by striking out all of the first section after the enacting clause; which amendment was lost.

On motion of Mr. Clark, the rules were suspended, the bill read the third time, by title, and passed.

On motion of Mr. Terry, the Senate adjourned until 9 o'clock to-morrow morning.

THOS. FLETCHER,
President.



SATURDAY, *January 19th*, 1861.

Senate met.

Roll called.

P R E S E N T :

Messrs. Askew, Belser, Carrigan, Clark, Craighead, Davies, Douglas, Fagan, Gray, Lemoyne, McColloch, McCreery, Mecklin, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—22.

On motion of Mr. Davies, the reading of the journal of yesterday was dispensed with for the present.

Mr. Rosson was called to the chair.

On motion of Mr. President, the vote of yesterday, on the passage of House bill No. 303, entitled "an act for the relief of McNeil and Gracie," was reconsidered.

On his further motion, the vote ordering said bill to its third reading, and the amendment thereto, was reconsidered.

On motion of Mr. Oates, the amendment was laid upon the table, and the bill read the third time and passed.

The calling of the roll alphabetically was resumed.

Mr. McCreery called up House bill No. 286, to be entitled "an act for the benefit of schools, and the purchasers of school lands in White county," which was read the first time.

On his motion, the rules were twice suspended, the bill read the second and third times, by title, and passed.

Mr. Mecklin called up House bill No. 277, to be entitled "an act to allow free negroes and mulattoes to become slaves," which was read the first time.

Mr. Rosson moved to reject said bill, and called for the yeas and nays thereon, which call was sustained and made with the following result:

YEAS—Messrs. Belser, Clark, Craighead, Douglas, Gray, Lemoyne, McColloch, Mecklin, Mitchell, Oates, Rosson, Terry, Trimble, Watkins and Mr. President—15.

NAYS—Messrs. Askew, Carrigan, Fagan, McCreery, Pennington and Ward—6.

So the bill was rejected.

Mr. Mitchell called up House bill No. 350, to be entitled "an act to incorporate the Helena Insurance company," which was read the first time.

On motion of Mr. Oates, the rules were twice suspended, the bill read the second and third times by title, and passed.

Mr. Oates called up House bill No. 330, to be entitled "an act to repeal an act entitled an act to authorize the counties of Jackson, Crawford, Pope, Lafayette, Phillips, Crittenden, Monroe, Columbia and Pulaski, to levy a road tax," which was read the first time.

On his motion, the rules were twice suspended, the bill read the second and third times, by title, and passed.

Message from the House of Representatives by the clerk:

Mr. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have assented to the following House bills, to-wit: engrossed Senate bill No. 63, entitled "an act for the relief of the locating agents who have selected and reported swamp and overflowed lands in this state by appointment from the governor, under act of 30th December, 1856."

No. 41, entitled "an act to defend and protect the interests of the State of Arkansas, in the swamp and overflowed land grant."

No. 148, entitled "an act to define the line between Saline and Hot Spring counties."

No. 140, entitled "an act for the benefit of S. E. Friar."

No. 9, entitled "an act to authorize the state treasurer to refund certain taxes."

No. 66, entitled "an act to amend the charter incorporating the town of Greenwood, in the county of Sebastian."

No. 153, entitled "an act in reference to the advertisement of runaway slaves," with amendments thereto attached, in which the concurrence of your honorable body is respectfully asked.

No. 90, entitled "an act to increase the compensation of the associate justices of the peace of the county courts of Randolph and Greene counties."

No. 97, entitled "an act to incorporate the Factory Fire company of Royston, in Pike county, Arkansas."

Said nine bills are herewith returned.

The House of Representatives have concurred in Senate joint resolution for extension of railroad grant.

Said resolution is herewith returned.

The House of Representatives have rejected the following Senate bills:

No. 126, entitled "an act to grant charter privileges to William Brown and Nicholas Childers, of Greene county, to keep public ferries on St. Francis river, in said county."

No. 113, entitled "an act to aid in the publication of a Digest of the decisions of the supreme court."

And Senate joint resolution No. 10, relative to the Cairo and Fulton railroad.

Said two bills and resolution are herewith returned.

The House of Representatives have adopted a resolution in which the concurrence of your honorable body is respectfully asked, appointing a committee of three on the part of the House to act with a like committee on the part of the Senate, to con-

sider and report upon the communication from the governor of New York, communicated to both houses of the General Assembly on yesterday. Said committee, on the part of the House, consists of Messrs. Tucker, Boone and Loudon.

The House of Representatives have passed the following House bill, to-wit:

No. 367, to be entitled "an act for the benefit of J. A. Slaughter, of Pulaski county."

Said bill is herewith transmitted for the assent of your honorable body, which is respectfully asked.

The House of Representatives have concurred in Senate amendments to House bill No. 77, entitled "an act for the relief of N. B. Mabry and Nathaniel Reagan."

S. M. SCOTT, *Clerk of
House of Reps.*

No. 152. Mr. Pennington introduced Senate bill, entitled "an act to reduce the price of swamp and overflowed lands in the Washington swamp land district."

Read the first time.

On motion of Mr. Pennington, the rules were suspended, and the bill read the second time by title.

Mr. Terry moved to refer it to the committee on swamp and overflowed lands.

On which motion, Mr. Pennington called for the yeas and nays, which call was sustained and ordered with the following result:

YEAS—Messrs. Belser, Craighead, Gray, Lemoyne, McCulloch, McCreery, Mitchell, Rosson, Terry, Trimble and Mr. President—11.

NAYS—Messrs. Askew, Carrigan, Clark, Davies, Douglas, Fagan, McAlexander, Mecklin, Oates, Pennington, Ward and Watkins—12.

So the reference was not made.

Mr. Gray offered to amend the bill by adding "that all swamp lands on the Saline river above Mount Elba, shall be entered under the provisions of the bill."

Which amendment was lost.

Mr. McCulloch offered to amend as follows:

"And that the proceeds of the sales of said lands now on hand and hereafter to accrue, not necessary to pay the expen-

ses of said land district, be subscribed as stock in the Mississippi, Ouachita and Red river railroad, to be expended in Washington district."

Mr. McCreery moved to refer the bill and amendments to the committee on swamp and overflowed lands.

On which motion, Mr. Terry moved the previous question, which was sustained, and the question on the reference was stated and prevailed.

Mr. Fagan, from the committee on enrollments, made the following

REPORTS:

Mr. PRESIDENT—

I have the honor to report that on this, the 18th day of January, 1861, I handed to the governor for his consideration, "an act to aid the Arkansas institute for the blind," which was incorporated on the 4th day of February, 1859.

FAGAN, *Chairman*.

Mr. PRESIDENT—

I have the honor to report that on this the 19th day of January, 1861, I handed the governor for his consideration, "an act to repeal all laws and parts of laws declaring Pettit Jean creek in Yell county, a navigable stream."

Also, "an act to legalize the sale of the 16th sec. in T. 9, N. R. 6 west, in White county."

Also, "an act to provide for the sale of runaway slaves confined in the penitentiary."

Also, "an act to incorporate the Merchants' and Planters' Insurance company of Little Rock."

FAGAN, *Chairman*.

Mr. PRESIDENT—

The committee on enrollments have examined "an act to provide for refunding on swamp land entries erroneously made."

Also, "an act to provide for paying expenses accruing for the inauguration of the present governor," and find the same correctly enrolled.

FAGAN, *Chairman*.

Mr. PRESIDENT—

I have the honor to report that on this the 19th day of January, 1861, I handed the governor for his consideration "an act to provide for refunding on swamp land entries erroneously made."

Also, "an act to provide for paying expenses of inaugurating the present governor."

FAGAN, *Chairman*.

Mr. PRESIDENT—

The committee on enrollments have examined "an act to provide for the sale of runaway slaves confined in the penitentiary."

Also, "an act to incorporate the Merchants' and Planters' Insurance company of Little Rock," and find the same correctly enrolled.

FAGAN, *Chairman*.

Mr. PRESIDENT—

The committee on enrollments have examined joint resolution asking Congress to graduate reserved railroad lands on Fort Smith and Little Rock branch Cairo and Fulton road.

Also, resolution asking Congress to extend the time limited by act of Congress, approved 9th February, 1853, connecting cities of Fort Smith and Memphis via Little Rock.

Also, resolution for the establishment of certain mail routes in north-eastern Arkansas.

Also, resolution asking establishment of horse mail route from Fort Smith to Dallas, in Polk county.

Also, resolution establishing two horse coach route from Benton to Mt. Ida.

Also, "an act to revive an act passed by the General Assembly of this state in 1850-51, entitled an act supplemental to an act to provide more fully for the incorporation of the town of Paraclista."

Also, "an act to define the line between Saline and Hot Spring counties," and find the same correctly enrolled.

And on this the 19th day of January, 1861, handed the same to the governor for his consideration.

FAGAN, *Chairman*.

Received.

Mr. President resumed the chair.

Mr. Rosson called up House bill No. 337, entitled "an act to incorporate the Pine Bluff telegraph company;" which was read the first time.

On his motion, the rules were twice suspended, the bill read the second and third times by title, and passed.

The following message was received from the House of Representatives by the clerk:

Mr. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have passed House bill No. 370, to be entitled “an act concerning slaughter houses and butchers in the cities of Little Rock, Camden, Washington, Fort Smith, Jacksonport, Batesville and Van Buren, and to promote the health of said cities, and for other purposes.”

Said bill is herewith transmitted for the assent of your honorable body, which is respectfully asked.

S. M. SCOTT, *Clerk of
House of Representatives.*

Mr. Terry called up House bill No. 269, entitled “an act to authorize the county courts of the counties of Pulaski and Sebastian to levy a road tax, and for other purposes;” which was read the first time.

On his motion, the rules were suspended, and the bill read the second time by title.

Mr. Terry offered to amend by adding the following sections:

That the sheriff of said counties shall not be allowed commission for assessing and collecting any road tax when such road tax is paid by working on the public roads of said counties. He shall reserve his commission on all tax arising in money under this act as a full compensation for all services.

The treasurers of said counties shall be allowed his commission on all money paid over to him under this act, but shall not be allowed commissions or receipts or certificates for taxes paid in work.

The clerk of said counties shall be allowed one hundred dollars for all services and no more, to be paid out of the fund arising under this act.

No overseer shall be allowed for more than twenty days' service in any one year for superintending hands when working on the public roads of said counties.

Which amendments were, on motion of Mr. Terry, adopted.

On motion of Mr. Clark, the bill was further amended by striking out the whole of either section.

On motion of Mr. Oates, the rules were further suspended, the bill read the third time by title, and passed as amended.

Mr. Oates, from a select committee on judicial circuits, on leave, presented the following

REPORT:

Mr. PRESIDENT—

The select committee on judicial circuits, to whom was referred House bill No. 197, to be entitled "an act to regulate the time for holding the circuit courts in this state," have had the same under consideration, and a majority of said committee have instructed me to report the same back to the Senate with some amendments, and with the amendments, to recommend its passage.

WATKINS, *one*
of the committee.

SECTION 1. In Monroe county, 2d Mondays in March and September.

In St. Francis county, at Cotton Plant, 4th Mondays in March and September.

In Poinsett county, 2d Mondays after the 4th Mondays in March and September.

In Crittenden county, 1st Mondays in May and November.

In Mississippi county, 3d Mondays in May and November.

In Phillips county, 2d Mondays after 3d Mondays in May and October.

SEC. 3. In the county of Jackson, at Augusta, the 3d Mondays in April and October, and at Jacksonport, on 2d Mondays after the 3d Mondays in April and October.

SEC. 4. County of Perry, 1st Mondays of March and September.

County of Yell, 2d Mondays of March and September.

County of Pope, 4th Mondays of March and September.

County of Johnson, 2d Mondays after the 4th Mondays of March and September.

County of Franklin, 4th Mondays after 4th Mondays in March and September.

County of Crawford, 6th Mondays after the 4th Mondays of March and September.

SEC. 5. County of Conway, 1st Mondays of February and August.

County of Prairie, 3d Mondays of February and August.

County of Dallas, 1st Mondays after the 4th Mondays of February and August.

County of Saline, 3d Mondays after 4th Mondays in February and August.

County of Pulaski, 4th Mondays after 4th Mondays of February and August.

SEC. 6. In the county of Calhoun, on last Mondays in March and September.

In the county of Union, on 1st Mondays in April and October.

In the county of Columbia, on 4th Mondays in April and October.

In the county of Lafayette, on 3d Mondays after 4th Mondays in April and October.

In the county of Hempstead, 5th Mondays after the 4th Mondays in April and October.

In the county of Ouachita, 8th Mondays after the 4th Mondays in April and October.

Mr. Carrigan moved to reject all of said amendments, which motion was lost.

The amendments to the 1st section were read, and on motion of Mr. Oates, adopted.

The amendments to the third section were read, and on motion of Mr. Oates, adopted.

The amendments to the 4th section were read, and on motion of Mr. Watkins, adopted.

The amendments to the fifth section, (5th judicial circuit,) were read, and on motion, adopted.

The amendments to the 6th section were read, and on motion of Mr. Watkins, adopted.

Mr. Trimble offered to amend the bill as follows:

7th circuit. Independence, 3d Mondays of March and September.

White, 2d Mondays of April and October.

Van Buren, 3d Mondays after 2d Mondays in April and October.

Searcy, 5th Mondays after 2d Mondays in April and October.

Izard, 7th Mondays after 2d Mondays in April and October.

Fulton, 9th Mondays after 2d Mondays in April and October.

Which amendments were lost.

Mr. Gray offered to amend the bill by striking out "1st Monday in July, 1861," in the last section, and inserting "1st Monday in July, 1863."

Mr. Oates moved to lay the amendment on the table.

Mr. Gray, to obviate objections to his amendment, offered the following:

SEC. 1. *Be it enacted by the General Assembly of the State of Arkansas, That the provisions of an act passed at the present session of the General Assembly of this state, to establish nine*

judicial circuits in this state, shall not take effect or be in force until from and after the 1st day of July, 1863.

On motion of Mr. Askew, said amendments were laid on the table.

On his further motion, the bill was read the third time by title, when Mr. Fagan called for the yeas and nays on its passage; which call was sustained, and made with the following result:

YEAS—Messrs. Askew, Carrigan, Clark, Craighead, Davies, Douglas, Gray, Lemoyne, McAlexander, McColloch, McCreery, Mecklin, Mitchell, Oates, Rosson, Ward, Watkins and Mr. President—18.

NAYS—Messrs. Belser, Fagan, Pennington, Terry and Trimble—5.

So the bill passed.

Mr. Trimble called up House bill No. 187, entitled "an act to amend the assessment laws of this state;" which bill being in the hands of the chairman of the committee on ways and means, was, by his request, returned to the Senate.

On motion of Mr. McColloch, the eleventh section of the bill was stricken out.

Mr. Watkins offered to amend the bill by striking out all after the enacting clause, and inserting as follows: "That all laws which provide that no lands shall be valued at less than three dollars per acre, are hereby repealed, and hereafter all taxable property shall be assessed by the assessor at its true cash value."

Mr. McColloch moved to lay the amendment on the table;

Mr. Oates, to reject the bill with the amendment.

On which motion, Mr. Watkins called for the yeas and nays; which call was sustained, and ordered with the following result:

YEAS—Messrs. Askew, Belser, Carrigan, Craighead, Gray, McColloch, Mecklin, Oates, Terry, Watkins and Mr. President—11.

NAYS—Messrs. Clark, Davies, Douglas, Fagan, Lemoyne, McAlexander, McCreery, Mitchell, Pennington, Rosson, Trimble and Ward—12

So the motion to reject was lost.

Message from the House of Representatives:

Mr. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have assented to Senate bill No. 143, entitled "an act to appropriate money for the purpose of arming the militia of the state, when formed into volunteer military companies, and for other purposes."

S. M. SCOTT, *Clerk*

House of Reps.

No. 153. Mr. Lemoyne, having obtained the floor, on leave introduced Senate bill, to be entitled "an act to provide for the defraying the expenses of commissioners to purchase arms."

Read the first time.

On motion of Mr. Carrigan, the rules were suspended and the bill read the second time by title.

On motion of Mr. Lemoyne, the rules were again suspended, the bill read the third time by title and passed.

On motion of Mr. Carrigan, the Senate took a recess until 2 ½ o'clock, p. m.

At 2 ½ o'clock, p. m., the Senate met.

Roll called.

P R E S E N T :

Messrs. Askew, Belser, Carrigan, Clark, Craighead, Davies, Douglas, Fagan, Gray, Lemoyne, McAlexander, McColloch, McCreery, Mecklin, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—23.

Mr. McColloch, from the committee on counties and county lines, made the following

REPORT:

Mr. PRESIDENT—

The committee on counties and county lines, to which

was referred the petition of many citizens of the counties of Arkansas, Desha, Drew and Jefferson, asking, and ably showing the necessity of creating a new county, (Tom Fletcher), to be created out of the corners of said counties, have had the same under consideration, and whilst the committee are willing to acknowledge that there is some necessity for establishing said new county, from the many incontrovertible facts set forth in the very able petition before us, and whilst we are still more inclined to grant the prayer of said petitioners on account of the name (*Tom Fletcher*) to be given the same, yet, from the fact that the committee are not satisfied that each of said counties would be left with the constitutional area of 900 square miles; and from the fact that, at great trouble, both houses have passed a bill re-arranging three additional judicial circuits, and the time of holding the courts therein, and the addition of a new county at this time would create some difficulty in the arrangement of said circuits and the time of holding the courts; and for the further reason of the present monetary panic, and the unsettled political affairs of the country, and the expense consequent upon the establishment of a new county, said committee reluctantly refuse to grant the prayer of said petitioners; and have instructed me to report the same back to the Senate and recommend its rejection.

Said committee have also instructed me to report back the petition of sundry citizens of Fulton and Monroe counties, in relation to the Big North Fork of White river, and accompanying bill therewith, and ask to be discharged from the consideration of the same.

McCOLLOCH, *Chairman*.

Which was received.

Mr. Ward, from the committee on public printing, made the following

REPORT:

Mr. PRESIDENT—

The committee on public printing, to which was referred a bill to be entitled “an act to limit the number of public documents printed for the use of the General Assembly at the commencement of each biennial session,” have had the same under consideration, and a majority of said committee have instructed me to report said bill back and recommend its rejection.

WARD, *Chairman*.

Which was received.

Message from the House of Representatives:

Mr. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have assented to Senate bill No. 139, entitled "an act to prevent the sale of ardent spirits within two miles of the Masonic hall and Baptist church in the town of Troy, in the county of Drew."

Also, Senate bill No. 79, entitled "an act for the relief Jas. W. Finley."

Said two bills are herewith returned.

S. M. SCOTT, *Clerk*

House of Representatives.

The Senate resumed the consideration of House bill No. 187, entitled "an act to annul the assessment laws of this state."

The question was stated on the adoption of Mr. Watkins' amendment and decided in the negative.

On motion of Mr. Oates, the bill was rejected.

Mr. Ward called up House bill No. 358, entitled "an act for the relief of James Brodie, of Crawford county;" which was read the first time.

On his motion, the rules were twice suspended, the bill read the second and third times by title and passed.

Mr. Watkins called up House bill No. 281, entitled "an act to repeal chapter 168 of Gould's Digest;" which was read the first time.

On his motion, the rules were twice suspended, the bill read the second and third times by title and passed.

Mr. Oates, from the judiciary committee, on leave, made the following

REPORT:

Mr. PRESIDENT—

As chairman of the judiciary committee, I ask leave to report the following bills back to the Senate without action thereon, for want of time:

House bill No. 160, to be entitled "an act to enable defendants in execution and mortgagors and judgment creditors to redeem real estate sold under judgments, orders and decrees of courts of common law and chancery in this state."

House bill No. 51, to be entitled "an act to amend the penal law in relation to stealing and enticing away slaves, or otherwise aiding them to escape to the free states or territories."

House bill No. 226, to be entitled "an act to empower executors and administrators to hire out slaves at private hiring."

House bill No. 205, to be entitled "an act to amend section 1 of chapter 49, of Gould's Digest, as to the counties of Bradley and Jefferson."

Senate bill No. 142, to be entitled "an act to provide for the payment of certain taxes directly into the state treasury."

Senate bill No. 117, to be entitled "an act for the relief of certain purchasers of swamp lands."

Senate bill No. 114, to be entitled "an act to provide for the apprehension of certain criminals."

Senate resolution relative to the constitutionality of the act establishing nine judicial circuits in this state.

OATES, *Chairman.*

Which report was received.

Mr. Oates was called to the chair.

Mr. President called up House bill No. 297, entitled "an act to increase the compensation of the presiding judge and associate justices of the county court of Jefferson county;" which was read the first time.

On his motion, the rules were twice suspended, the bill read the second and third times by title and passed.

Mr. Askew called up House bill No. 361, entitled "an act to provide for the election of a tax assessor for the county of Columbia;" which was read the first time.

On his motion, the rules were twice suspended, the bill read the second and third times by title and passed.

Mr. Belser called up House bill No. 365, entitled "an act to provide for the election of assessor of taxes in the counties of Ashley, Bradley, Yell, Phillips, Crawford, Madison, Polk, Fulton and Lawrence;" which was read the first time.

On his motion, the rules were twice suspended, the bill read the second and third times by title and passed.

Mr. Carrigan called up House bill No. 244, entitled "an act to incorporate the Trustees of the Richmond Male and Female Academy;" which was read the first time.

On his motion, the rules were twice suspended, the bill read the second and third times by title and passed.

Mr. Clark called up House bill No. 368, entitled "an act to

establish separate courts in the county of Sebastian;" which was read the first time.

On his motion, the rules were twice suspended, the bill read the second and third times by title and passed.

No. 154. Mr. Craighead introduced Senate bill No. 154 to be entitled "an act for the relief of Mississippi and other counties herein mentioned."

Which was read the first time.

On motion of Mr. President, the rules were suspended and the bill read the second time by title.

Mr. McCreery moved to refer the bill to the committee on swamp and overflowed lands; which motion was lost.

On motion of Mr. Clark, the rules were again suspended and the bill read the third time by title.

Mr. Craighead advocated the bill and urged its passage.

Mr. Davies opposed it and called for the yeas and nays on its passage, which call was sustained and ordered, with the following result:

YEAS—Messrs. Askew, Belser, Carrigan, Craighead, Douglas, McAlexander, McColloch, Mecklin, Mitchell, Oates, Pennington, Rosson, Watkins and Mr. President—14.

NAYS—Messrs. Clark, Davies, Gray, Lemoyne, McCreery, Terry and Trimble—7.

So the bill passed.

Message from the House of Representatives by the clerk:

Mr. PRESIDENT—

I am instructed to inform your honorable body that the House have assented to Senate bill No. 58, entitled "an act to refund to the administrator of the estate of Henry J. Kimbell, deceased, a certain amount of swamp land scrip, erroneously paid by said deceased, for the entry of lands previously sold by the state."

Said bill is herewith returned.

S. M. SCOTT, *Clerk of*
House of Representatives.

Mr. Fagan, from the committee on enrollments, made the following

REPORT.

Mr. PRESIDENT—

The committee on enrollments have examined "an act to defend and protect the interests of the State of Arkansas in the swamp and overflowed land grant," and find the same correctly enrolled. I have handed the same, on this, the 19th day of January, 1861, to the governor for his consideration.

FAGAN, *Chairman.*

Said report was received.

The following message was received from the governor:

Mr. PRESIDENT—

I am instructed by the governor to report to your honorable body that on the 19th day of January, 1861, he approved and signed "an act to incorporate the Little Rock, Washington and Fort Smith telegraph company."

"An act for the relief of Edwin J. L. Green."

"An act to incorporate the Huntsville and Ozark turnpike road company."

W. M. MATHENY,
Private Secretary.

January 19th, 1861.

Mr. Fagan, from a select committee, made the following

REPORT:

Mr. PRESIDENT—

The select committee, to which was referred House bill No. 280, entitled "an act to grant Newport Floyd, A. J. Jones and James Low, a charter to make a turnpike through the counties of Hot Spring, Clark, Montgomery, Pike and Sevier," have had the same under consideration, and instruct me to report the bill back as amended by the Senate, and recommend its passage.

FAGAN, *Chairman.*

Report received; and on motion of Mr. Fagan, the bill was read the third time and passed.

Message from the House of Representatives by the clerk:

Mr. PRESIDENT—

I am instructed to inform your honorable body that the House have assented to Senate bill No. 149, entitled "an act to incorporate the Pine Bluff gas company."

Said bill is herewith returned.

The House have rejected Senate bill No. 120, entitled "an act to amend section 123, chapter 4, Gould's Digest."

House of Representatives have assented to Senate bill No. 145, entitled "an act to incorporate the Pine Bluff water works company."

Said three bills are herewith returned.

S. M. SCOTT, *Clerk of
House of Representatives.*

Mr. Rosson, from the committee on swamp and overflowed lands, made the following

REPORT:

Mr. PRESIDENT—

The committee on swamp and overflowed lands, to whom was referred Senate bill No. 42, to be entitled "an act to relieve the governor, and to provide more fully for carrying out the objects of the swamp land grant to the State of Arkansas."

Also, the petition of sundry citizens of Phillips county.

Also, the memorial of J. P. Davis, have instructed me to report the same back and ask to be discharged from the further consideration of the same.

ROSSON, *Chairman.*

Report received and committee discharged.

Mr. Davies called up House bill No. 303, entitled "an act to authorize Elizabeth H. Smith, who is the wife of William S. Smith, to become the guardian of Elizabeth Crabtree," was read the first time.

On motion of Mr. Davies, the rules were twice suspended, and the bill read the second and third times by title and rejected, (afterwards reconsidered.)

Mr. Douglas called up Senate bill No. 92, entitled "an act for the protection of telegraph lines in the State of Arkansas,"

And on his motion, the amendment of the House to the same was concurred in.

On motion of Mr. Fagan, the message of the governor nominating and appointing John M. Harrell to the office of solicitor general of the State of Arkansas, was taken up and read.

Mr. Fagan moved that the Senate advise and consent to said nomination; on which motion the yeas and nays were ordered.

On motion of Mr. Askew, a call of the Senate was made, when it appeared that Messrs. Craighead, Davies and Watkins were absent, without leave.

The door-keeper was instructed to procure the attendance of the absentees, and in a short time he appeared, when the roll was called on the confirmation of John M. Harrell, with the following result:

YEAS — Messrs. Belser, Fagan, McAlexander, McCreery, Mitchell, Rosson, Terry, Trimble and Mr. President—9.

NAYS—Messrs. Askew, Carrigan, Clark, Craighead, Davies, Douglas, Gray, Lemoyne, McColloch, Mecklin, Oates, Pennington, Ward and Watkins—14.

So the Senate refused to advise and consent to the nomination.

Mr. Rosson, on leave, made the following

REPORT:

Mr. PRESIDENT—

The committee on swamp and overflowed lands, to which was this day referred Senate bill No. 152, to be entitled "an act to reduce the price of certain swamp and overflowed lands in the Washington swamp land district," have considered the same, and a majority of said committee have instructed me to report the same back to the Senate and recommend its passage, after rejecting the amendment.

ROSSON, *Chairman*.

Which report was read and adopted, and the amendment thereby rejected.

On motion of Mr. Pennington, the bill was read the third time.

Mr. Davies moved to reconsider the vote ordering it to its third reading; which motion was lost.

The question was then stated on the passage of the bill, and decided in the affirmative.

Mr. Gray called up House bill No. 347, to be entitled "an act to attach a portion of Desha county to the county of Drew;" which was read the first time.

On his motion, the rules were suspended, and the bill read the second time by title.

On motion of Mr. President, the rules were again suspended, the bill read the third time by title and rejected—(reconsidered afterwards.)

Mr. Lemoyne called up House bill No. 299, entitled "an act amendatory of the law concerning schools and school lands in the counties of Columbia and Prairie;" which was read the first time.

On his motion, the rules were twice suspended, the bill read the second and third times by title and passed.

Mr. Watkins obtained the floor, and moved to reconsider the vote rejecting House bill No. 347, entitled "an act to attach a portion of Desha county to the county of Drew."

Which motion prevailed, and the bill passed.

Mr. President resumed the chair.

Mr. McAlexander called up House bill No. 268, entitled "an act for the benefit of Rocky Comfort Academy, in the county of Sevier;" which was read the first time.

On his motion, the rules were twice suspended, the bill was read the second and third times by title and passed.

On motion of Mr. McColloch, the vote rejecting House bill No. 303, entitled "an act to authorize Elizabeth H. Smith, who is the wife of William S. Smith, to become the guardian of Elizabeth Thalia Crabtree," was reconsidered and the bill passed.

Mr. McColloch called up House bill No. 122, entitled "an act for the relief of David S. Kyle, of Ouachita county;" which was read the first time.

On motion of Mr. Rosson, the bill was rejected.

Mr. McCreery called up House bill No. 338, entitled "an act to grant a charter to Thomas Couch, of Jackson county, for a turnpike, or graded turnpike in the southern part of Jackson county;" which was read the first time.

On his motion, the rules were twice suspended, the bill read the second and third times by title and passed.

Mr. Mecklin called up House bill No. 289, entitled "an act to amend section 72, of chapter 149, of Gould's Digest;" which was read the first time.

On his motion, the rules were twice suspended, the bill read the second and third times by title and passed.

Mr. Mitchell called up House bill No. 278, entitled "an act for the benefit of Cane Hill College and Cane Hill Female Seminary, in Washington county;" which was read the first time.

On motion of Mr. Oates, the rules were twice suspended, the bill read the second and third times by title and passed.

Mr. Fagan, from the committee on enrollments, made the following

REPORT:

Mr. PRESIDENT—

The committee on enrollments have examined "an act for the relief of the locating agents who have selected and reported swamp and overflowed lands in this state, by appointment from the governor, under act of 30th December, 1856," and find the same correctly enrolled. I have handed the same, on this 19th January, 1861, to the governor for consideration.

FAGAN, *Chairman.*

Which report was received.

Mr. Oates called up House bill No. 364, entitled "an act incorporating a ferry privilege across the Mississippi river at Helena;" which was read the first time.

On his motion, the rules were twice suspended, the bill read the second and third times by title, and passed.

On motion of Mr. Fagan, the Senate took a recess until 7 o'clock, P. M.

7 O'CLOCK, P. M.

Senate met.

Roll called.

P R E S E N T :

Messrs. Askew, Belser, Carrigan, Clark, Craighead, Davies

Douglas, Fagan, Lemoyne, McAlexander, McColloch, McCreery, Mecklin, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—22.

Mr. Pennington called up House bill No. 334, entitled “an act for the relief of James W. Dickinson, of Clark county;” which was read the first time.

On motion of Mr. Rosson, the bill was rejected.

Mr. Carrigan, from the committee on internal improvements, made the following

REPORT:

Mr. PRESIDENT—

The internal improvement committee, to whom was referred House bill No. 339, to be entitled “an act to amend the road law of this state,” have considered the same, and a majority of said committee have recommended its rejection.

CARRIGAN, *Chairman*

Which report was read, and Mr. Carrigan moved its adoption, on which motion, Mr. Rosson called for the yeas and nays, which call was sustained and ordered with the following result:

YEAS—Messrs. Carrigan, Craighead, Davies, Douglas, Fagan, McColloch, McCreery, Mecklin, Mitchell, Oates, Terry, Trimble, Ward and Watkins—14.

NAYS—Messrs. Askew, McAlexander, Pennington, Rosson and Mr. President—5.

So the report was adopted and the bill thereby rejected.

Mr. McCreery, from the committee on the militia, returned Senate bill No. 99, to be entitled “an act to appropriate \$100,000 to arm volunteer companies in the several counties in this state,” and sundry petitions.

Mr. Fagan, from a select committee, made the following

REPORT:

Mr. PRESIDENT—

The select committee to which was referred Senate bill 137, entitled “an act making an appropriation for putting up buildings for the use of the state library, and for the library of the supreme court, and for other purposes,” have had the same under consideration, and a majority of said committee instruct

me to report the same back to the Senate and recommend its rejection.

FAGAN, *Chairman*.

Which report was received.

Mr. Davies, on leave, made the following

REPORT:

Mr. PRESIDENT—

The committee on claims to which was referred an account of E. Illg, of Pulaski county, for twenty-five dollars, have examined the same and think the account too large by five dollars; your committee have theretofore agreed upon the accompanying bill and recommend its passage.

DAVIES, *Chairman*.

Report received but not acted upon.

Mr. Terry called up House bill No. 58, to be entitled "an act to pay the judge of the probate and county courts of Ashley, Pulaski, Hempstead and Jackson counties a regular salary per annum;" which was read for information.

Mr. Gray, by consent of the Senate, withdrew his amendment to the bill heretofore adopted, making Dallas county subject to the provisions of the same.

On motion of Mr. Terry, the bill was read the third time and passed.

Mr. Trimble offered the following proposed amendment to the constitution:

Amendment proposed to the constitution in reference to assaults and batteries, and the civil jurisdiction of justices of the peace.

SECTION 1. *Be it enacted by the General Assembly of the State of Arkansas*, That the following amendments be proposed and made to the constitution of Arkansas, viz:

1st. The General Assembly shall from time to time have power to confer jurisdiction on justices of the peace in all matters of contract, covenant or relating to fines and forfeitures, when the amount in controversy does not exceed the sum of five hundred dollars.

2d. Justices of the peace shall have jurisdiction over all assaults and batteries and other penal offences less than felony, which may be punishable by fine only, under such regulations as may be prescribed by law; and the bill of rights requiring

presentment or indictment by a grand jury of such offences, be, and the same as to them, is hereby repealed.

Message from the House of Representatives by the clerk:

Mr. PRESIDENT—

The House of Representatives have assented to the following Senate bills, to-wit:

No. 153, entitled “an act to provide for defraying the expenses of commissioners to purchase arms.”

No. 150, to revive an act incorporating Perkins Institute.

No. 129, entitled “an act for the benefit of St. John’s College.”

No. 155, entitled “an act for the relief of John I. Jackson.”

No. 56, entitled “an act for the relief of John W. Williams, of Hempstead county.

Said five Senate bills are herewith returned.

The House of Representatives have adopted House joint resolution No. 22, in relation to the state of the Union.

Said resolution is herewith transmitted for the concurrence of your honorable body, which is respectfully asked.

The House have concurred in Senate amendments to House bill No. 4, entitled “an act to grant pre-emptions upon the swamp lands of this state.”

Also, Senate amendments to House bill No. 16, entitled “an act for the relief of certain persons holding certificates of application to purchase swamp lands in the old Helena district.”

S. M. SCOTT, *Clerk of
House of Representatives.*

Mr. Ward called up Senate bill No. 7, entitled “an act for the promotion of the agricultural and mechanical interests of this state.”

On motion of Mr. McCreery, the bill was amended by striking out the following sections:

SEC. 3. Whenever the clerk of any county shall certify, under the seal of his office, that an agricultural and mechanical society is duly organized in such county, and that the county court of such county has appropriated to such society, in aid of its objects, a sum not less than one hundred dollars for the year in which such certificate is granted, and the officers of such society shall file in the office of the auditor of public accounts, an affidavit, that a sum, not less than one hundred dollars, has been contributed and paid by its members, in aid of its objects, for the same year, then, and in that event, the auditor shall issue a warrant on the treasurer of this state, in favor of such

society, and payable to the president thereof, for the sum of two hundred dollars, in aid of the objects of such society, for the year in which such certificate and affidavit shall be filed as aforesaid.

SEC. 4. Whenever the officers of the state agricultural and mechanical society shall file in the office of the auditor, the certificate of the secretary of state, that such society is duly organized, together with their own affidavit, that the several county societies have contributed and paid in aid of the objects of the state society, a sum not less than five hundred dollars for the year in which such certificate and affidavit shall be filed as aforesaid, then, and in that event, the auditor shall issue a warrant on the treasurer of this state for the sum of five hundred dollars, in aid of the objects of the state society for the same year, payable to the president of the state society.

SEC. 5. The several sums of money aforesaid, whether contributed and paid by the members of county societies, by county societies, by counties; or by the state, shall be appropriated and used exclusively for agricultural and mechanical purposes, and the encouragement of home industry in this state, and no part thereof shall be devoted to the payment of the officers or agents of any society.

On motion of Mr. Ward, the bill was read the third time by title, and passed.

Mr. Rosson, on leave, offered the following

RESOLUTION:

Resolved, That from and after the adjournment of the Senate this evening, there shall be no further legislation except to receive and despatch messages to and from the House of Representatives, or from the governor, or to receive reports from the committee on enrollments.

Which was not adopted.

Mr. Fagan, from the committee on enrollments, made the following

REPORT:

Mr. PRESIDENT—

The committee on enrollments have examined "an act to appropriate money for the purpose of arming the militia of the state when formed into volunteer military companies, and for other purposes," and find the same correctly enrolled. I have handed the above bill to the governor for his consideration, this the 19th day of January, 1861.

FAGAN, *Chairman*.

Read and received.

Mr. Watkins, on leave, offered the following

RESOLUTION:

Resolved, That the thanks of the Senate are hereby tendered the Hon. Thos. Fletcher, President of the Senate, for the dignified, able and impartial manner in which he has discharged the duties of presiding officer of the Senate during the present session.

(Mr. Oates was called to the chair.)

On motion of Mr. Fagan, the resolution offered by Mr. Watkins, was unanimously adopted.

Mr. President called up House bill No. 91, entitled "an act to authorize Thomas Leaverett, his heirs or assigns, to establish and keep a ferry across the Mississippi river at or near Napoleon;" which was read the first time.

On his motion, the rules were twice suspended, the bill read the second and third times by title, and passed.

Message from the House of Representatives by the clerk:

Mr. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have concurred in Senate amendments to House bill No. 269, entitled "an act to authorize the county courts of Pulaski and Sebastian counties to levy a road tax, and for other purposes."

The House of Representatives have assented to Senate bill No. 147, entitled "an act for the relief of Jesse Wells."

Said bill is herewith returned.

S. M. SCOTT; *Clerk of
House of Representatives.*

Mr. Terry moved to adjourn until 9 o'clock Monday morning; which motion was lost.

Mr. Askew called up House bill No. 201, entitled "an act further to define the duty of the grand jury of the county of Columbia, and for other purposes;" which was read the first time.

On his motion, the rules were twice suspended, the bill read the second and third times, by title, and passed.

Mr. Carrigan called up House bill No. 233, entitled "an act to repeal an act entitled an act to exempt citizens living west

of Red river, in Lafayette county, from serving on the grand and petit juries;" which was read the first time.

On his motion, the rules were twice suspended, the bill read the second and third times, by title, and passed.

Mr. Craighead called up House bill No. 173, to be entitled "an act conferring certain powers on the county courts of Crittenden and Mississippi counties; which was read the third time and passed.

Mr. Davis called up House bill No. 355, entitled "an act to grant Thomas J. Mellon and Philip K. Lester, a charter to make a turnpike road from Pocahontas via Oasis post office, across Black river and Cache river bottoms, to terminate at or near the terminus of the Smithville, Powhatan and Crawley's Ridge turnpike road, on Crawley's Ridge in Green county, a distance of thirty miles."

Which was read the first time.

On motion of Mr. Davies, the rules were twice suspended, the bill read the second and third times, by title, and passed.

Mr. Douglas called up House bill No. 222, to be entitled "an act to incorporate the Young Men's Christian Association, of Camden, in the county of Ouachita;" which was read the first time.

On motion of Mr. McColloch, the rules were suspended and the bill read the second time, by title.

Mr. McCreery offered to amend the bill by striking out "ninety-nine years," for the duration of such incorporation, and inserting "sixty years;" which amendment was lost.

On motion of Mr. McColloch, the rules were again suspended, the bill read the third time, by title, and passed, on a division of the Senate—9 voting in the affirmative and 8 in the negative.

Mr. Gray called up House bill No. 140, to be entitled "an act to exempt family grave yards and public burial places from taxation and execution;" which was read for information.

Mr. Askew offered to amend the bill by striking out "five acres," the amount proposed to be exempted, and inserting three hundred and twenty acres; which amendment was lost.

On motion of Mr. Davies, the bill was read the third time and passed.

Mr. Gray asked and obtained leave of absence for the balance of the session.

On motion of Mr. Carrigan, the Senate adjourned until 9 o'clock Monday morning.

THOS. FLETCHER,

President.

MONDAY, *January 21st*, 1861.

The Senate met.

Roll called.

P R E S E N T :

Messrs. Askew, Belser, Carrigan, Clark, Craighead, Davies, Douglas, Fagan, Lemoyne, McAlexander, McColloch, McCree-ry, Mecklin, Mitchell, Oates, Pennington, Rosson, Terry, Trimble, Ward, Watkins and Mr. President—22.

Mr. Oates presented the credentials of Hon. Alexander M. Wynn, senator elect for the district composed of the counties of St. Francis and Poinsett, to fill the unexpired term of Hon. William A. Jones, deceased.

Mr. Wynn then came forward, and having taken the oath of office, which was administered by the President of the Senate, entered upon the discharge of his duties as senator aforesaid.

The journals of Friday and Saturday were read, approved and signed.

Message from the House of Representatives, by the clerk:

Mr. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives have passed House bill No. 322, entitled "an act for the relief of Edward B. Anderson."

Said bill is herewith transmitted for the assent of your honorable body, which is respectfully asked.

S. M. SCOTT, *Clerk*
House of Representatives.

Mr. Carrigan was called to the chair.

Mr. Lemoyne presented the following report of the internal improvement commissioner of Perry county:

STATE OF ARKANSAS,
COUNTY OF PERRY. }

REPORT NO. 3, OF THE INTERNAL IMPROVEMENT FUND

For the year of 1859 and 1860, ending the 14th November, showing the true condition of the fund as it now stands, with a statement of all public work that has been completed, with amount of money paid out for the same, and otherwise, as follows, to-wit:

Twenty miles of new road completed, cost.....	\$ 565 00
64 rods of grading hillsides, cost.....	90 00
Paid for repairing bridge on Cypress creek	38 00
Paid as commissions to attorney for collecting money for the fund.....	17 87
	710 87

Amount of notes now on hand for collection, bearing ten per centum per annum interest until paid	\$3,184 09½
Cash remaining on hand subject to the order of the county court.....	300 00

Whole amount on hand..... 3,484 09½

The above is a true statement of the condition of the fund as it now stands, in my hands, to the best of my knowledge.

W. H. IVEY, *Commissioner.*

No. 156. Mr. Clark, on leave, introduced Senate bill to be entitled "an act for the relief of William Gipson, sheriff of Scott county;" which was read the first time.

On his motion the rules were twice suspended, the bill read the second and third times by title, and passed.

Mr. Fagan, from the committee on enrollments, made the following

REPORT :

Mr. PRESIDENT—

• The committee on enrolled bills have examined the enrollment of the following acts:

“An act to revive the act incorporating the Perkins Institute, in the town of Smithville, in Lawrence county;” which was approved January 18th, 1855.

“An act for the relief of John W. Williams, of Hempstead county, Arkansas.”

“An act for the benefit of St. John’s College.”

“An act for the relief of John J. Jackson.”

“An act to increase the compensation of the associate justices of the county courts of Randolph and Greene counties.”

“An act for the relief of James W. Finley.”

“An act to amend the charter incorporating the town of Greenwood, in Sebastian county.”

“An act to incorporate the Factory Fire company, of Royston, in Pike county, Arkansas, and to regulate the same.”

“An act to prevent the sale of ardent spirits within two miles of the Masonic hall and Baptist church, in the town of Troy, in Drew county.”

“An act for the benefit of S. E. Friar.”

“An act to authorize the state treasurer to refund certain taxes, and for other purposes.”

“An act to incorporate the Pine Bluff Water Works company.”

“An act to incorporate the Pine Bluff Gas company.”

“An act to refund to the administrator of Henry J. Kimbell, deceased, a certain amount of swamp land scrip erroneously paid by said deceased, for the entry of land, which the state had previously sold.”

“An act for the relief of Jesse Wells.”

“An act to provide for defraying the expenses of commissioners to purchase arms.”

“An act for the protection of telegraph lines in the State of Arkansas.”

FAGAN, *Chairman.*

Which report was received.

Mr. Fagan presented the following report of the internal improvement commissioner of Saline county:

To the Senate and House of Representatives

of the State of Arkansas in General Assembly:

The undersigned, as internal improvement commissioner of Saline county, respectfully presents his report, as required by section 54, of chapter 101, Gould’s Digest of Arkansas, showing the situation and condition of the internal improvement fund in his hands.

The former commissioner having never designated or made out any schedule or plan for internal improvements to the county court, and said county having ordered no such improvements to be made, the funds were loaned out to individuals applying for the same, for a time not exceeding twelve months, and at interest at ten per centum per annum, the borrower executing to the commissioner, by his corporate description, a bond or note therefor, secured by mortgages on real estate or personal security, all of which notes and bonds have been previously presented to the county court, who passed upon and approved the securities offered.

The undersigned was elected as internal improvement commissioner of Saline county, at the general election in August, 1860, and commissioned on the 18th day of October, 1860. His predecessor in office, Thomas H. Crowson, made settlement with the county court of Saline county, at the October term, 1860, and after allowing his credits and commissions, the amount \$12,208 98, was found to be in his hands, which was turned over to the undersigned, and consists, of notes amounting to \$12,098 15, and uncollected interest on same for 1859, amounting to \$110 83, making total fund \$12,208 98, on which one year's interest will be due on the 1st January, 1861.

All of which is respectfully submitted.

JOHN BARRON, *Int. Imp. Com.*
for Saline county.

Mr. President laid before the Senate the account of the "Little Rock gas company" against the Senate, from the 1st to the 21st of January, for gas for the use of the senate chamber, and committee room, amounting to twenty-five and 45 cents, which account was read and ordered to be certified by the secretary of the Senate.

Mr. Lemoyne moved that the vote of Saturday, refusing to advise and consent to the appointment of John M. Harrell to the office of solicitor general of Arkansas be reconsidered; which motion prevailed and said vote was reconsidered.

On motion of Mr. Oates, a call of the Senate was made, when it appeared that Messrs. Pennington and Rosson were absent without leave.

The door-keeper was instructed to procure the attendance of the absentees, who soon appeared, when

■ Mr. Lemoyne moved that the Senate advise and consent to the appointment of John M. Harrell, as aforesaid; on

which motion the yeas and nays were ordered with the following result:

YEAS—Messrs. Belser, Clark, Douglas, Fagan, Lemoyne, McAlexander, McColloch, McCreery, Mitchell, Rosson, Terry, Trimble and Wynn—13.

NAYS—Messrs. Carrigan, Craighead, Mecklin, Oates, Pennington, Ward, Watkins and Mr. President—8.

So the Senate advised and consented to said appointment.

Mr. Trimble offered the following

RESOLUTION:

Resolved, That the Secretary of the Senate be *required* to send to the address of each member of the Senate an *equal* number of the biennial reports of the auditor and treasurer, and such other public documents as have been printed at the expense of the state, and that the expenses incurred be paid out of the contingent fund, upon the certificate of said secretary.

Which was, on motion of Mr. Rosson, laid on the table.

Mr. Carrigan offered the following

RESOLUTION:

Resolved, That the Senate tender thanks to John D. Kimbell, as principal secretary; W. H. Rosson and John P. Jones, as assistants, and John W. Woodward, as enrolling secretary, for their promptness in the discharge of their various duties.

Which was, on motion of Mr. Clark, unanimously adopted.

Mr. Watkins offered the following

RESOLUTION:

Resolved, That the thanks of the Senate be tendered to Thomas Berry, door-keeper, for the efficient manner in performing the duties assigned him, and the courteous manner in which he has conducted himself.

Which was, on motion of Mr. Lemoyne, unanimously adopted.

Mr. Rosson, from the committee on swamp and overflowed lands, made the following

REPORT:

Mr. PRESIDENT—

The committee upon swamp and overflowed lands, to which was referred Senate bill No. 141, concerning the swamp

land secretary, have instructed me to report the same back to the Senate without action, and ask to be discharged from the further consideration of the same.

ROSSON, *Chairman*.

Report received.

Mr. Wynn, on leave, called up House bill No. 351, entitled "an act to incorporate the Poinsett male and female academy;" which was read the first time.

On his motion, the rules were twice suspended, the bill read the second and third times by title and passed.

Mr. Carrigan, from the committee on internal improvements, made the following

REPORT:

MR. PRESIDENT—

The internal improvement committee, to whom was referred House bill No. 136, to be entitled "an act to declare Moro lake a navigable stream," and Senate bill No. —, to be entitled "an act to authorize the governor to subscribe stock in certain railroads"—not having had time to consider the said bills, in consequence of the pressure of more important business, would respectfully report the bills back to the Senate and ask to be discharged from the further consideration of the same.

CARRIGAN, *Chairman*.

Which report was received.

Mr. Wynn called up House bill No. 307, to be entitled "an act for the benefit and relief of Susan Carolina Brookfield, wife of James C. Brookfield, of the county of Poinsett;" which was read the first time.

On his motion, the rules were suspended, and the bill read the second time by title.

Mr. Wynn moved a further suspension of the rules; which motion was lost, and the bill took its course under the rules.

Mr. Lemoyne called up House bill No. 362, to be entitled "an act to amend the law in relation to ferries in Crittenden county;" which was read the first time.

On his motion, the rules were suspended, and the bill read the second time by title.

Mr. Lemoyne moved a further suspension of the rules; to which Mr. Askew objected, and moved to refer the bill to the committee on internal improvements; which motion was lost.

The question was then stated on the motion to suspend the rules, and also lost.

Mr. Pennington offered the following

RESOLUTION:

Resolved by the General Assembly of the State of Arkansas, That a joint committee of one from the Senate and two from the House be appointed to wait on the governor, and inform him that the General Assembly will adjourn *sine die* on this day, being the 21st January, 1861, and ask respectfully if he has any further communication to make to them.

Which was read and adopted.

Mr. President appointed Mr. Fagan such committee on the part of the Senate.

Mr. Terry called up House bill No. 367, entitled "an act for the relief of J. A. Slaughter, of Pulaski county;" which was read the first time.

On his motion, the rules were suspended, and the bill read the second time by title.

Mr. Terry moved a further suspension of the rules; which motion was lost.

On motion of Mr. Davies, the Senate took a recess until 3 o'clock, p. m.

3 O'CLOCK, P.

The Senate met, but took a recess of fifteen minutes to allow the committee appointed to wait upon the governor further time to report.

The Senate again met.

The calling of the roll was dispensed with.

Mr. Mitchell called up House bill No. 370, entitled "an act concerning slaughter houses and butchers in the cities of Little Rock, Camden, Washington, Fort Smith, Jacksonport, Batesville and Van Buren, and to promote the health of said cities, and for other purposes;" which was read the first time.

On motion of Mr. Fagan, the rules were twice suspended, the bill read the second and third times by title, and passed.

Mr. Fagan, from the joint select committee, appointed to wait upon the governor, and inform him of the intended adjournment of the General Assembly, reported verbally, that he had performed such duty, and that his excellency informed the committee that he knew of no reason why the General Assembly should not adjourn at the hour contemplated.

Message from the House of Representatives by the clerk:

Mr. PRESIDENT—

I am instructed to inform your honorable body that the House of Representatives concurred in Senate joint resolution to appoint a committee to wait upon the governor and inform him that the General Assembly will adjourn *sine die* on this day.

The committee on the part of the House consists of Messrs. Cook and Hemmingway.

The House have assented to Senate bill No. 156, entitled "an act for the relief of William Gipson, sheriff of Scott county."

Said bill is herewith returned.

S. M. SCOTT, *Clerk of*
House of Representatives.

Mr. Fagan, from the committee on enrollments, made the following:

REPORT:

Mr. PRESIDENT—

The committee on enrollments have examined "an act for the relief of William Gipson, sheriff of Scott county;" and instruct me to report the same correctly enrolled.

FAGAN, *Chairman.*

Received.

The following messages were received from the governor:

Mr. PRESIDENT—

I am instructed by the governor to inform your honorable body that, on the 19th of January, 1861, he approved and signed "an act to aid the Arkansas Institute for the Blind, which was incorporated on the 4th day of February, 1859."

"An act to incorporate the Merchants' and Planters' Insurance Company of Little Rock."

"An act to defend and protect the interests of the State of Arkansas in the swamp and overflowed land grant."

"An act for the relief of the locating agents who have

selected and reported swamp and overflowed lands in this state, by appointment from the governor, under the act of 30th December, 1856."

"An act supplementary to an act passed at the present session of the General Assembly, entitled 'an act to provide more fully for the incorporation of the town of Paraclifta.'"

"An act to revive an act passed by the General Assembly of this state in 1850 and 1851."

"An act to provide for the sale of runaway slaves confined in the penitentiary."

"An act to provide for refunding on swamp land entries erroneously made."

"An act to provide for the payment of expenses accruing for the inauguration of the present governor of the State of Arkansas."

"An act to define the line between Hot Spring and Saline counties."

"An act to legalize the sale of a portion of the 16th section in township 9, north of range 6 west, in White county."

Senate joint resolution in relation to procuring a law in Congress to graduate the prices of reserved lands along the line of the Little Rock and Fort Smith branch of the Cairo and Fulton railroad company.

Senate joint resolutions, instructing our senators and representatives in Congress to procure an extension of five years time, limited by act of Congress, 1st February, 1855, so far as the interests of the railroads connecting the cities of Memphis and Fort Smith via Little Rock are concerned.

Senate joint resolution, to procure an increase of the mail service on the post route from Benton, in Saline county, to Mt. Ida, in Montgomery county.

Senate joint resolution, to procure the passage of a law by Congress to establish semi-weekly mail routes, to be conveyed by stage coaches, from Gainesville to Pocahontas; from Gainesville to Cape Girardeau, in Missouri; from Gainesville to Dyersburg, Tennessee; and one from Gainesville to Madison, Arkansas.

Senate joint resolution, to procure the establishment of a weekly horse mail route from Fort Smith, in Sebastian county, to Dallas, in Polk county, etc.

And, on the 21st day of January, 1861, "an act to incorporate the Pine Bluff Gas Company."

"An act to refund to the administrator of Henry J. Kimbell, deceased, a certain amount of swamp land scrip, erroneously paid by said deceased for the purchase of land which the state had previously sold."

"An act for the relief of Jesse Wells."

“An act for the protection of telegraph lines in the State of Arkansas.”

“An act for the relief of James W. Finley.”

“An act to increase the compensation of the associate justices of the county courts of Randolph and Greene counties.”

“An act to incorporate the Pine Bluff Water Works Company.”

“An act for the relief of John W. Williams, of Hempstead county, Arkansas.”

“An act to authorize the state treasurer to refund certain taxes, and for other purposes.”

“An act to revive the act incorporating the Perkins Institute in the town of Smithville.”

“An act for the benefit of St. John's College.”

“An act to incorporate the Factory Fire Company of Royston, in Pike county, and to regulate the same.”

“An act to prevent the sale of ardent spirits within two miles of the Masonic hall and Baptist church, in the town of Troy, in Drew county.”

“An act to amend the charter incorporating the town of Greenwood, in Sebastian county.”

“An act for the relief of William Gipson, sheriff of Scott county.”

And vetoed “an act to repeal all laws and parts of laws declaring Petit Jean creek, in Yell county, navigable.”

W. M. MATHENY,

Private Secretary.

January 21st, 1861.

EXECUTIVE OFFICE, *Little Rock,* }
January 21st, 1861. }

Mr. PRESIDENT—

“An act to repeal all laws and parts of laws declaring Petit Jean creek, in Yell county, navigable,” has been passed by both houses of the General Assembly, and is presented to me for my approval.

The Petit Jean is a stream susceptible of steamboat navigation. To block it up by statutory enactment, must not only affect the interests of those who have products to ship along its border, but the commercial prosperity of the whole surrounding country. Again, this stream was meandered by the United States, and thus made navigable and free, not only to the citizens of Arkansas, but to the whole world, until restricted by Congress. It was made navigable by federal action, possessing the right of “*eminent domain*.” State authority cannot contravene it, because the right exercised by the general government is among those delegated by the original states, and acknowl-

edged by the State of Arkansas in the compact, agreeing that she should not interfere with the right of the federal government to dispose of the public lands within her borders. The disposition made of Petit Jean was, that it was meandered, and reserved from the mass of the public lands, to remain as a public highway, and so it must remain until Congress shall change its status, or the State of Arkansas repeals the ordinances, goes out of the Union, and asserts the right of eminent domain herself. This she has not yet done. Upon these grounds, I think the bill objectionable, to say nothing of the fact that it is repealing an act passed at the present session. An act passed, is supposed, by parliamentarians, to be as binding upon the body for that session as is the judgment of a court upon the parties litigant. And such, I believe, is established as English and American common law of legislation.

The bill is therefore returned.

HENRY M. RECTOR.

On motion of Mr. Oates, the Senate took a recess until 7 o'clock, p. m.

At 7 o'clock, p. m., the Senate met.

The following message was received from the governor:

Mr. PRESIDENT—

I am instructed by the governor to report to the Senate that, on the 21st day of January, 1861, he approved and signed "an act for the relief of John J. Jackson."

"An act for the benefit of S. E. Friar."

"An act to appropriate money for the purpose of arming the militia of this state, when formed into volunteer companies, and for other purposes."

"An act to provide for defraying the expenses of commissioners to purchase arms."

W. M. MATHENY,

Private Secretary.

January 21st, 1861.

On motion of Mr. Oates, the Senate went into secret session to receive a communication from the governor.

The doors having been opened, the following message was announced from the governor:

EXECUTIVE OFFICE, *Little Rock,*)
January 21st, 1861.)

Mr. PRESIDENT—

As by joint resolution the labors of your honorable body will terminate to-day, the executive takes occasion to express the hope, that they will redound to the happiness and prosperity of the people.

And to announce to you, that he has nothing further to submit for your consideration at the present session.

Respectfully,

HENRY M. RECTOR,
Governor of Arkansas.

The following message was received from the House of Representatives by the clerk:

Mr. PRESIDENT—

I am instructed to inform your honorable body that the House have adopted the following

RESOLUTION:

Resolved, That the clerk inform the Senate that the House of Representatives have transacted all the business before them for the present session, and are now ready to adjourn *sine die*.

S. M. SCOTT, *Clerk of*
House of Reps.

On motion of Mr. Carrigan, the secretary was instructed to inform the House that the Senate are now ready to adjourn *sine die*.

Mr. President then addressed the Senate in a few appropriate and touching remarks, concluding with the announcement that, in pursuance of a resolution heretofore adopted, the Senate stood adjourned *sine die*.

THOS. FLETCHER,
President.

JOHN D. KIMBELL,
Secretary of the Senate.